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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Costa Rica

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I. Introduction

A. Overview

1. Costa Rica herewith submits to the Human Rights Council its second national report under the universal periodic review, in which it seeks to follow up on the Council's recommendations of December 2009. It may be recalled that in March 2010 Costa Rica presented an additional document which set out its stance on the recommendations at the time, and in March 2012 it submitted its med-term report to the Council, in which it discussed progress made and the practical implementation of a number of recommendations. Thus, a reading of the present report should take the above-mentioned documents into account. However, in order to provide an overview of the human rights situation in Costa Rica, this introduction highlights a number of points of interest on the subject.

2. Like every democratic system, Costa Rica faces important challenges in the context of its efforts to promote and protect human rights and must address problems rooted in structural inequality and inequity and the dangers posed by crime and violence in the region.

3. One structural problem is poverty and the unequal distribution of wealth, as well as the accelerated growth of the older adult population. This situation is linked with the need to create options to offer better access to education and employment and to improve the quality of housing and provide alternative care for children and older persons. Thus, in recent years, public programmes and policies have been elaborated which address population groups that require special support in order to improve their quality of life and help them find employment.

4. Poverty, inequality and exclusion make it easier for criminal organizations to take root in society and encourage the growth of the drug market and the movement of and trafficking in persons and their exploitation. Considerable efforts have been made to establish and maintain institutional bodies to combat violence, drug trafficking and trafficking in persons and to protect the victims. The Costa Rican Drug Institute, the Institute on Alcohol and Drug Dependency, the National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents, the National Coalition against the Smuggling of Migrants and Human Trafficking and the working group on follow-up to the United Nations report on violence against children and adolescents, among other bodies and initiatives, have carried out activities that make an integral contribution to efforts to address these scourges.

5. One group of particular concern is that of minors. The rights of children and adolescents are seriously affected by new phenomena of growing importance, such as sexual exploitation, sexual abuse and adolescent pregnancy, in particular when they are linked to abusive relations with adults.

6. The lead body in this area, the National Child Welfare Agency (PANI), conducts policies, programmes and projects for targeted, comprehensive protection of minors and their families, in coordination with other institutions and NGOs, but the resources needed to ensure better management are limited.

7. With regard to specific population groups, indigenous peoples, persons of African descent, migrants and refugees are a segment of the population for which the State has had to take targeted measures, such as the National Policy for a Society free of Racism, Racial Discrimination and Xenophobia, which was introduced in December 2013. The overall

objective is to adopt effective measures to promote inclusive social practices which respect diversity in order to guarantee the full and effective exercise of the human rights of indigenous peoples, persons of African descent, migrants and refugees in Costa Rican society and thus eradicate forms of racial discrimination, racism and xenophobia.

8. Over the past four years, Costa Rica has been elaborating a new Migration Act and a comprehensive migration policy with a human rights perspective in order to achieve the integration of these population groups in society.

9. Also in recent years, there has been a debate on ways of ensuring the property rights of lesbians, gays, bisexuals, transsexuals, transgenders, transvestites and intersexuals. Although the subject has not been addressed in depth, action has been undertaken in a number of bodies, and initiatives have been developed in which civil society has played a fundamental role.

10. In respect of persons with disabilities and older persons, a number of national and international initiatives have been launched which have helped to make considerable progress in promoting the rights of these persons.

11. Since its first national report under the universal periodic review mechanism, Costa Rica has undertaken major efforts to make the exercise of human rights more effective for persons living in the country. The establishment of the Inter-Institutional Commission on Follow-Up to and Compliance with International Human Rights Obligations (CIIDDHH) stands out in this regard. CIIDDHH was one of the commitments entered into by Costa Rica in its first report.

B. Preparation procedure

12. The present report was prepared in the framework of CIIDDHH, which brings together 21 bodies of the executive branch (ministries and autonomous institutions) and representatives of the judiciary, the Supreme Electoral Tribunal, the Office of the Ombudsman and the Legislative Assembly as observers with a duty to provide information.

13. CIIDDHH was set up in 2011 as a permanent consultative body of the executive branch attached to the Ministry of Foreign Affairs and Worship to ensure follow-up to and compliance with international human rights obligations and the coordination of international human rights initiatives.

14. Executive Decree No. 36776-RE, which established CIIDDHH, also created the Permanent Body for Consultation with Civil Society (EPCSC), through which a dialogue with civil society has been developed in the overall context of the preparation of reports. The general dynamics of the meeting and the discussion of aspects relating to the implementation of human rights obligations have facilitated the institutional consideration of the effectiveness and efficiency of the work under way and its intrinsic relation to the exercise of human rights for persons in Costa Rica.

II. The rule of law

A. Normative framework

15. Since the submission of the first report for the universal periodic review, Costa Rica has ratified the following international instruments:

- The International Convention for the Protection of All Persons from Enforced Disappearance;

- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

16. The legislature has approved the Optional Protocol to the Convention on the Rights of the Child establishing a communications procedure.

17. It has signed the San José Charter on the rights of older persons in Latin America and the Caribbean, adopted at the Third Intergovernmental Conference on Ageing held in San José, Costa Rica, from 8 to 11 May 2012.

18. It has proceeded to sign, and to submit to the ratification process, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights establishing a communications procedure (pending final approval at legislative level).

19. The following laws on the promotion and protection of human rights have been adopted:

- The Act on Trafficking and Related Activities and the Establishment of the National Coalition against Illicit Smuggling of Migrants and Trafficking in Persons;
- The Act on the Protection of Victims, Witnesses and other Persons involved in Criminal Procedures, Reforms and Additions to the Code of Criminal Procedure and the Criminal Code;
- The Act on the Abolition of Physical Punishment and any Other Form of Abuse or Degrading Treatment of Children and Adolescents;
- The Act on the Strengthening of the National Council for Older Persons.

B. System of justice

20. With regard to access to justice, the judicial branch has been mainstreaming the implementation of the Brasilia Regulations Regarding Access to Justice for Vulnerable People since May 2008 and has set up bodies and committees to ensure compliance.

21. The National Commission on the Improved Administration of Justice, composed of the judiciary, the Bar Association, the faculty of law of the University of Costa Rica, the Supreme Electoral Tribunal, the Ministry of Justice and Peace, the Office of the Attorney-General, the Legislative Assembly, the Office of the Ombudsman and the Office of the Comptroller-General, is responsible for ensuring implementation through programmes and coordination between public bodies.

22. The Commission deals with inter-institutional coordination with representatives of the justice branch; the programme of public participation in the system for the administration of justice; access to justice for vulnerable groups; promotion of the rights of migrants and refugees through a media observatory on the migrant and refugee population; and promotion of and training in restorative justice.

23. The Access to Justice Commission, the lead institutional body in the area of access to justice for vulnerable groups, is responsible for setting policies and institutional guidelines for that purpose. It is composed of all jurisdictions and representatives of the subcommittees working for each vulnerable group (persons with disabilities, older persons, persons deprived of liberty, migrants and refugees, sexually diverse persons, indigenous persons, victims of offences, victims of sexual and domestic violence, and children, adolescents and adults in conflict with the law), and representatives of professional associations and civil society. Its objective is to implement policies and guidelines and to mainstream them through coordinated activities with the various judicial stakeholders.

24. As a result of the work of the Commission, the judiciary has a policy directed at improving access to justice for children and adolescents in Costa Rica, which emerged from a process of participatory consultation with judicial and institutional officials of the national system for the protection of children and adolescents, civil society organizations, international organizations and children and adolescents themselves. Adopted in November 2010, the policy's main objective is to secure effective access to justice for minors, eliminating any discrimination, restriction or hindrance that impedes the exercise of their rights, on the basis of a judicial culture that develops the paradigm of comprehensive protection for children and adolescents.

25. An institutional policy on the right of access to justice for vulnerable juveniles facing criminal prosecution and a policy on respect for sexual diversity were also developed, pursuant to which the judiciary undertook to promote non-discrimination on the basis of sexual orientation of the persons concerned and judicial personnel as well as the institutional policy for access to justice for the migrant and refugee population (2010).

C. Statistical information system

26. The 2011 census conducted by the National Statistics and Census Institute introduced an improved statistical processing system that met the recommendations of the United Nations human rights treaty bodies and specialized agencies and organs, including the Economic Commission for Latin America and the Caribbean and the United Nations Population Fund. Data were collected on the indigenous population and persons of African descent, and the census methodology was improved through cooperation with leaders, organizations and experts. A focus on ethnic self-identification was used, which refers to the right of persons to declare that they are members of a particular ethnic or racial group.

27. Steps are being taken to set up a system of statistical indicators on children and adolescents, a useful tool for formulating policy, plans and programmes aimed at guaranteeing the rights of minors; the initiative is conducted by the National Statistics and Census Institute under the auspices of UNICEF.

28. CIIDDHH has undertaken to begin working to facilitate the production of statistics in order to establish a system of human rights indicators which will be used on an inter-agency basis and will coordinate national statistics so as to collect hard data on all groups and categories that may be drawn upon for an analysis of the enjoyment of human rights, as well as a systematized, articulated process that yields the accessible, structured and processed information needed to take decisions and adopt policies in line with those findings.

D. Civil society, and dissemination and awareness-raising

29. With the establishment of the Permanent Body for Consultation with Civil Society (EPCSC), the State, through CIIDDHH, has set out to create a forum for dialogue with organizations, groups and representatives of civil society. The process is in its incipient phase, but a number of activities have been devoted to establishing a permanent forum for transparent exchanges.

30. In 2012, EPCSC was used to conduct a dialogue on the functioning of the Inter-American Commission on Human Rights in order to strengthen the inter-American human rights system; civil society provided impetus. As part of the reform process, Costa Rica hosted one of the forums organized by the Inter-American Commission in order to hold in-depth discussions with civil society on the technical aspects of the reform agenda.

31. In 2012 and 2013, meetings and dialogues were held in the framework of EPCSC as part of the elaboration of a national policy on a society free from racism, racial discrimination and xenophobia.

32. With regard specifically to the universal periodic review, meetings were convened on three occasions with registered civil society organizations (including organizations, groups, experts and interested persons). The purpose of the first meeting, held on 17 July 2013, was to formally initiate the dialogue and to address all matters of concern to CIIDDHH and the drafting of country reports for human rights treaty bodies.

33. At a second meeting, held on 16 September, the exchange of views focused on recommendations made in connection with Costa Rica's first report. It was agreed that civil society organizations and individuals would forward to the secretariat of the CIIDDHH (Ministry of Foreign Affairs) comments and inputs which might be taken into account in the first official draft. Two pages were set aside for civil society, which was invited to send contributions. In October, contributions were received from a number of organizations.

34. Once the draft report was circulated, a third meeting was convened on 11 December 2013 to close this stage of the dialogue on the universal periodic review prior to the report's submission on 25 January 2014. At this meeting, general comments were made on the text, and the elaboration procedure.

35. In the course of this dialogue, the State has sought to be honest and transparent, recognizing that past procedures, despite genuine efforts by institutional bodies, suffered from the lack of a system for a general dialogue with civil society. This remoteness from people's lives meant that the reports and the position of the State did not accurately reflect the situation of human rights. With CIIDDHH, and in particular with the establishment of EPCSC, Costa Rica intends to intensify the dialogue on its international obligations.

36. The present report is the product of a constructive process, and Costa Rica would like to continue to involve civil society in this effort. Many of the comments made by various organizations with regard to both form and substance have been incorporated into the text, without losing sight of the fact that this is a State report. We thank civil society for its commitment and contribution to this endeavour.

37. Costa Rica had intended to include a section in the report on the views and concerns of the civil society organizations which had participated in the elaboration process, but that was not possible, because they were not received by CIIDDHH until after the completion of the final version of the report.

38. Although much remains to be done, Costa Rica's objective is to improve the dynamics of this initial attempt at a joint endeavour as a constant process and to create mechanisms for the dissemination not only of the recommendations under the universal periodic review, but of all international human rights obligations. The dissemination and awareness-raising activities are directed at civil society, but also — and very importantly — at public institutions, as bodies responsible for guaranteeing human rights.

III. Civil and political rights

Public and personal safety

1. Violence against women

39. With regard to recommendations 15, 22, 23, 26, 29 and 91.6 of the Working Group on Costa Rica's universal periodic review, the National Women's Institute (INAMU) has

established a High Level Commission to monitor compliance with the Violence against Women Act.

40. The Commission has drafted an inter-institutional protocol for intervention and risk-assessment in cases of violence against women, an instrument for intervening in violent situations requiring comprehensive action by State bodies. The technical secretariat of the national system, which is located within the Gender Violence Unit of INAMU, has elaborated a set of indicators to monitor compliance with the institutional commitment established therein.

41. In 2012, in the framework of the Violence against Women Act, an investigation was launched into the effective and timely access of women to the criminal justice system, which is a continuous process aimed at identifying critical aspects in the area. INAMU has also helped to draw attention to a number of important issues, such as new forms of violence against women, organized crime and trafficking in women, and has contributed to broadening the legal definition of femicide, bringing it into line with the Convention of Belém do Pará.

42. The Violence against Women Act has been amended, and articles have been added to criminalize abuse and assault. In 2011, Act No. 8925 was adopted, which amends the Domestic Violence Act, creating an internal register of perpetrators administered by the judiciary, raises the initial period of protection measures from six months to one year, improves access to justice for victims and allows the criminal authorities to apply measures in the absence of domestic violence courts.

43. A Unified System of Statistics on Gender Violence has been set up to define, develop and maintain a system of information which makes it possible to identify the gender violence dimension. With regard to inter-institutional care for female victims of violence, reference is made to the Comprehensive Platform of Services to Assist Victims of Violence, a mechanism which coordinates legal services for this target group.

44. In 2012, the number of femicides declined significantly – 18 compared to an average of 38.75 annually between 2008 and 2011. In 2013, an emergency plan was defined with the goal of reducing gender-related murders of women. It contains immediate actions, an "emergency kit" and medium-term preventive measures. Legal and psychological assistance at the Pacific and Atlantic regional headquarters of INAMU was broadened, a domestic violence legal advisory service was made available in the capitals of four provinces, and work is under way on strengthening the special assistance and shelter centres for women and their children to protect women at risk of being murdered.

45. The State participates actively in international coordination forums and the creation of plans of action and their follow-up directed at guaranteeing women the protection and full exercise of their human rights.

2. Violence against children and adolescents

46. One of the phenomena with the greatest impact on minors is domestic violence, which is why a permanent commission for monitoring, assistance and prevention measures in relation to domestic violence was set up with the participation of public bodies active in addressing the problem, including PANI, INAMU, the judiciary and the National Council for Older Persons.

47. The Ministry of Planning and Economic Policy, in conjunction with the National Council for Children and Adolescents, is carrying out a plan of action for the protection of children and adolescents in situations of violence, with particular attention to the World Report on Violence and the recommendations for Costa Rica of the Committee on the Rights of the Child.

48. Civil society organizations have set up and are promoting a working group to assist public authorities in their ability to respond to the phenomenon of violence against children and adolescents, from the perspective of the United Nations Study on Violence against Children with an impact on the success of strengthened institutions for preventing, addressing, punishing and providing redress for violence against children and adolescents in the family, at work, in the community, at school and in institutions. At the initiative of civil society, for the past three years a working group on violence has sought to give effect to recommendation 2 of the World Report. NGOs, PANI, the Office of the Ombudsman and academia have participated in this working group.

49. The judiciary has also conducted a number of initiatives and programmes which deal with the sexual exploitation of children and adolescents for commercial purposes, as well as a plan of action on violence against children and adolescents, which addresses violence against this population group and works with those responsible for taking immediate action in order to inform the public on these offences and encourage their reporting.

50. In conformity with article 55 of the Constitution and the Organic Law on PANI, this body is the lead entity responsible for the welfare of children, adolescents and families. It operates in conjunction with other public institutions and therefore requires political support from the executive branch.

51. PANI is working hard to ensure the restoration of the rights of vulnerable minors, increasing allocations for the implementation of protection programmes aimed at improving assistance for this at-risk population.

52. To combat child pornography, direct messages are sent out through the social networks on children's rights and the risks that they face. These networks help in detecting, confronting and reporting websites which disseminate pornographic material. In 2012, article 167 of the Criminal Code was amended to include the offence of possession or dissemination of pornographic material involving minors with the help of the Internet.

3. Trafficking in persons, in particular women, children and adolescents

53. The most important development in this area is the Trafficking in Persons Act and the establishment of a National Coalition against the Smuggling of Migrants and Human Trafficking No. 9095 of February 2013. The Coalition set up a national foundation to combat trafficking in persons and the smuggling of migrants, which is funded with Costa Rica's exit tax and which will make it possible for the Coalition to carry out its work. The Coalition is composed of 21 public institutions and four commissions, on assistance, prevention, administration of justice, and information, analysis and investigation.

54. The Trafficking in Persons Act replaces administrative sanctions by the offence of exploitation of labour, with a view to punishing anyone who recruits persons and forces them to work in conditions that violate their fundamental human rights. A provision has also been incorporated into the Criminal Code that makes it an offence to project an image of Costa Rica as a tourist destination for sexual exploitation. With regard to trafficking, the Rapid Response Team identified 29 victims of trafficking in 2013 and 119 victims since its creation in 2010,[1] to whom assistance was provided according to each particular case.

55. With regard to prevention, information campaigns have been conducted on the offence of trafficking in persons and the sexual exploitation of children and adolescents, and approximately 20,000 civil servants, representatives of civil society and students throughout the country have received training. The Information, Analysis and Investigation Committee is working to establish a geographic, social and operative map on trafficking in persons in order to have an overview of the situation in the country so as to be able to provide assistance in places where the need is greatest.

56. Santa Cruz de Guanacaste's institutional network for combating the sexual exploitation of children and adolescents has been strengthened with the help of a road map that establishes reporting procedures from communal to institutional level. Police operations carried out in conjunction with a number of institutions have rescued minors involved in these practices, the aim being to provide a comprehensive approach to the problem, in particular with regard to the victims. There has also been international cooperation between the Judicial Investigation Organization and the Canadian police with a view to establishing joint reporting mechanisms.

57. The need to enact special comprehensive legislation on the smuggling of migrants which does more than merely focus on law enforcement and control is a challenge that Costa Rica must face.

4. The situation in detention centres

58. In line with the recommendations of the Human Rights Committee and the Committee against Torture regarding pretrial detention, the Ministry of Justice and Peace and the Directorate-General of Social Rehabilitation have sought alternatives through a bill on electronic monitoring mechanisms in criminal cases in order to utilize such devices as an alternative to detention and thus help alleviate prison overcrowding. However, the bill has not met with the approval of the Legislative Assembly.

59. The judiciary has ordered a number of measures to reduce prison overpopulation and overcrowding. The Constitutional Chamber of the Supreme Court[2] has issued several decisions to that effect since 1996 and has stressed that the State is under an obligation to prevent such overcrowding.

60. Thus, in Decision No. 2011-3742 of 2011, the Chamber ruled that, pursuant to article 40 of the Constitution, no one may be subjected to cruel or degrading treatment; that, as ill-treatment or cruel or degrading abuse may take many forms, they may of course be the result of deliberate intent, deficiencies in the organization of the prison service or insufficient resources; and that the existence of inhuman conditions in prison establishments, regardless of the causes, is a clear sign of the violation of the human rights of inmates that the State, which is responsible for their care, is under an obligation to remedy. The Chamber acknowledged the efforts made by the authorities to mitigate the effects of such overcrowding, including by increasing the amount of food, providing more and better space and organizing shifts for food service and visits, as may be deduced from a number of established facts, but, noting the overcrowding at the facility concerned, the Chamber concluded that it constituted a violation of human dignity.

61. In compliance with constitutional rulings, the sentencing court of the first judicial district of San José issued a corrective measure in September 2013 ordering the closure of the San José Institutional Penal Centre, the reduction of the prison population and the transfer of convicted persons to other places of detention. The measure prohibited the placement of new detainees in the centre. The transfer of all convicted persons to prisons to serve out their sentences was also ordered after it was determined that such persons were being held at the centre, which is for pretrial detention. When there was no room in other centres during the period specified in the measure, it was necessary to devise other non-custodial arrangements, such as overnight detention during the week and semi-open prison with a fixed domicile, for the 370 persons closest to completing their sentences, and to report on measures still being implemented.

62. Although the sentencing judges have implemented measures to reduce prison overpopulation and overcrowding, the State is facing the challenge of implementing a procedure with an exhaustive analysis of eligible persons by virtue of the fact that the system that was used had serious deficiencies, which meant that it was again necessary to

detain large numbers of persons, in addition to the urgent need to build new facilities with a capacity for holding the country's prison population in decent conditions. This problem requires an integral approach.

IV. Equality and non-discrimination: vulnerable groups

A. Women

63. Costa Rica is working to mainstream a gender perspective in all areas and has carried out a number of initiatives in State bodies to ensure compliance with these obligations and to build a society based on principles of gender equality. For example, the National Policy on Gender Equality and Equity of 2007 enjoys the support and political backing of the four branches of government, women's organizations and various sectors of civil society, as well as the United Nations Population Fund.

64. The national policy on gender equality and equity sets commitments for a decade (2007–2017) with a view to closing the gender gap, and establishes six strategic priority objectives relating to employment and income, family responsibilities, education and health, the effective protection of rights and the prevention of violence, political participation and the mainstreaming of gender equality and equity. Its implementation is the responsibility of a number of State institutions under the leading role of INAMU, into account being taken of civil society for follow-up, monitoring and assessment. There have been two strategic plans.

65. Gender equality policies have been formulated in the Legislative Assembly, the National Training Institute, the Costa Rican Social Security Fund, the Ministry of Labour and Social Security, the Supreme Electoral Tribunal, the judiciary, the Costa Rican Electrical Institute and the National University. A number of institutions have created equality and equity mechanisms, such as the Ministry of Housing and Human Settlements, the Ministry of Science and Technology, the Ministry of Finance and the Inter-Agency Institute for Social Assistance.

66. With a view to reducing all forms of discrimination against women, gender-sensitive training courses have been held for court personnel who receive complaints from women of discrimination or violence. A number of actions have also been carried out to promote a cultural exchange in favour of gender equality, with ongoing training and awareness-raising classes on gender and human rights for the personnel of the Ministry of Education, the Ministry of Justice and Pardons, the Ministry of Health, the Ministry of Culture and Youth, the Ministry of the Environment and Energy, PANI, the National Council on Rehabilitation and Special Education, the Costa Rican Social Security Fund, the National Emergency Commission and the Costa Rican Institute of Water Supply and Sanitation Systems.

67. Steps are being taken to combat gender stereotypes through media campaigns on television and radio and in the press, as well as through the use of posters with educational messages concerning women's rights on topics such as equal pay, the rights of domestic workers, the fight against domestic violence and femicide and the commitment of the community to report and help prevent such phenomena. Emphasis is placed on the need to report assaults and to ensure public involvement in that regard.

68. In accordance with recommendation 91.2, in November 2011 INAMU published and disseminated a first report on the situation of women's rights; its objective is to analyse the state of women's rights in the light of commitments entered into by Costa Rica, the aim being to provide input for decision-making and follow-up of public policies and to ensure accountability vis-à-vis society.

69. The study covered the following topics: poverty and gender inequality; economic and labour rights of women; violence against women; and women's right to sexual and reproductive health, autonomy, citizenship and political participation. It examined the findings of the first national survey on opinions and perceptions concerning women's rights, which was designed to use gender-related indicators and statistics to measure cultural changes in society that are conducive to gender equality and equity.

B. Children and adolescents

70. The protection and promotion of the human rights of children is a fundamental pillar of State action. The National Policy for Children and Adolescents 2009–2021 sets the strategic focus of action to promote, protect and ensure the human rights of all children and adolescents. Costa Rica's overall objective is to guarantee the full realization of the aspirations of children and adolescents and to be able to ensure the full exercise of all their rights. State obligations are primarily centred on providing the conditions needed to enable children and adolescents to achieve the highest possible living standard through the promotion of their capacities and to play an active role in their own development.

71. With regard to alternative child care, it is worth noting that the Department of Certification of PANI has received ISO-9001-2008 accreditation. This body is responsible for evaluation, supervision and training for alternative care, and it has succeeded in establishing that all private organizations with programmes of assistance for minors and with an operating licence rely on a model which guarantees compliance with comprehensive care procedures that ensure the implementation of the rights of minors, including all rules for care and the United Nations Guidelines for the Alternate Care of Children.

C. Indigenous peoples and persons of African descent

72. One of the voluntary commitments entered into by Costa Rica during the Durban Conference and in response to recommendations made following its first universal periodic review was to strengthen the judicial and institutional framework for combating racism and racial discrimination. Accordingly, CIIDDHH set out during its first two years to devise a policy and plan of action for a society free from racism, racial discrimination and xenophobia. This involved working with its member institutions. Through EPCSC, meetings and workshops were prepared with the organizations of various population groups (indigenous peoples and persons of African descent, migrants and refugees). The two major challenges were awareness-raising of the conditions and needs of each population group and their effective participation in the elaboration of the policy and plan of action, which were presented publicly on 17 December 2013.

73. The drawing up of the policy and plan of action raised awareness in public institutions, creating a better understanding of the need for measures that target the population groups concerned. Although the institutions do not have broad policies with differentiated approaches, certain initiatives and programmes are directed primarily at indigenous and migrant communities.

74. However, initiatives focusing on persons of African descent are insufficient. Building on a number of international conventions and instruments, including the Durham Declaration and Programme of Action, Costa Rica has pledged to take affirmative action in favour of persons of African descent.

75. Thus, in addition to the recommendations dealt with in the present report, the authorities are working on further initiatives. Under the national policy to combat racism,

steps are being taken to overcome historical shortcomings and to deal more effectively with and heighten awareness of the three population groups, with comprehensive efforts elaborated with the beneficiaries that go beyond isolated government actions and become State policy.

76. With regard to indigenous peoples, in April 2011, in the context of consultations with the United Nations Special Rapporteur on the El Diquís hydroelectric project and its impact on indigenous land in the region, Costa Rica invited the Special Rapporteur to determine on the ground the impact of the project on the indigenous peoples in the area. The Special Rapporteur's recommendations were accepted, including the one relating to the bill on the autonomous development of indigenous peoples.

77. In addition, in September 2011 Costa Rica expressed the intention in the Human Rights Council to seek paths to a dialogue with the indigenous populations. One of the Special Rapporteur's recommendations concerned the recovery of lands. The Government agreed with the Special Rapporteur that an opportunity existed to treat the question of the recovery of lands and expressed a willingness to enter into a dialogue with the indigenous communities on implementing that objective.

78. In October 2012, a dialogue began on putting an end to acts of violence in the indigenous territory of Salitre with regard to territorial security. A round table was set up for representatives of indigenous peoples of the south and the Government, headed by the President of Costa Rica, which was coordinated by the Ministry of Social Welfare in conjunction with the United Nations and the Office of the Ombudsman. A governmental team was also created to analyse a bill on the autonomous development of the indigenous peoples; its objective is to channel concerns about their rights, in particular with regard to indigenous representation and ways of resolving problems which arise from the lack of legislation which respects indigenous forms of government.

79. The dialogue aims to establish ways of giving a statutory framework to the right to prior consultation, which is still not regulated in Costa Rica.

D. Migrants and refugees

80. Costa Rica has made considerable progress in the area of migration thanks to the new Migration Act.

Refugees. A Special Migratory Situations Team has been set up to implement an integral approach to all migratory situations of any special nature in order to provide better care through closer inter-agency coordination, ensure respect for human rights and fulfil Costa Rica's commitment to the guiding principles of international protection, such as non-refoulement. Persons who apply for refugee status are issued a temporary document allowing them to work while awaiting a decision on their case.

Foreign indigenous population. The Migration Act guarantees the security of such persons when they are in transit or during their stay in Costa Rica, pursuant to special legal requirements, rules and procedures, and establishes inter-agency communications with human rights bodies and with their communities in Costa Rica and their countries of origin. The status of these persons is regularized, and their right to work and to a decent wage, health care, education and State services is guaranteed.

Migrant children. The protection of vulnerable migrant children has been strengthened through inter-institutional coordination, which has led to the creation of inter-agency instruments and protocols that permit their status to be regularized. Unaccompanied minors are placed in the care of PANI; this guarantees their rights and their comprehensive and timely protection.

Regularization of migration status. In line with the best interests of the child, four transitional provisions have been introduced in the regulations on aliens which facilitate the regularization of the status of foreign nationals with expired documents who are parents of a minor or an adult with a disability who is Costa Rican or a recognized resident. The transitional provisions also cover older persons, minors and persons with disabilities who are foreigners as well as employers with regard to the regularization of the status of foreign nationals employed in certain activities in the manufacturing and services sectors. Some 70,000 applications have been received. The transitional provision concerning workers is now in force.

Migration policy. The Government of Costa Rica has formulated a migration policy which serves as an tool for guiding State action and creating the conditions needed to make migration a factor in the development of the country and to ensure the welfare of migrants and their families and their full, inclusive integration in Costa Rican society. This policy reflects Costa Rica's commitment to managing and controlling migratory flows over the next ten years (2013–2023) and to working towards the integration of migrants.

E. Persons with disabilities

81. The Tenth National Census of 2011 indicates that 10.53 per cent of the national population has some form of disability. The National Council on Rehabilitation and Special Education is the lead entity active in this area. In existence for 40 years, it is an international reference with regard to the promotion and realization of the human rights of persons with disabilities, and it plays a coordinating and regulatory role in ensuring compliance with the obligations under the Convention.

82. In the period following the first universal periodic review, Costa Rica issued the following decrees:

- No. 36042-S (June 2010). Regulations for recognition of disability for access to special social and health-care programmes;
- No. 36293-MP-MTSS (December 2010). Leave of absence for up to one month with salary for civil servants with disabilities whose condition requires them to take leave of absence in order to learn to use a guide dog or any other assistance animal;
- No. 36357-S (February 2011). Creation of the National Registry of Statistics on Disabilities;
- No. 36524-MP-MBSF-PLAN-S-MTSS-MEP (June 2011). National Disability Policy 2011-2021;
- No. 36462-MP-MTSS (June 2011). Regulations concerning the Act on Inclusion and Labour Protection of Persons with Disabilities in the Public Sector.

83. With regard to public policies, the National Disability Policy 2011–2021 was introduced, which promotes institutional respect for the rights of persons with disabilities, focusing primarily on access to health care, education and employment, and ensures inter-agency coordination. In the area of mental health, the National Mental Health Policy 2012–2021 defines principles, focus, guidelines, a plan of action and decentralized services provided in a community setting. The National Network for the Promotion of Comprehensive Mental Health Care, which is centred in the community and aims to transform the traditional mental health-care model into a model for the promotion of comprehensive health care which guarantees the right to mental health, is directed at promotion, prevention, care, rehabilitation and reintegration with a community focus and relies on medical evidence to improve the quality and enjoyment of life of the persons concerned throughout their lives.

84. The participation of civil society has been crucial. State bodies are working to comply with legal provisions in the area of disability and to improve the living conditions of this population group; however, such efforts are more directed towards accessibility to physical spaces. Challenges in other fields remain.

F. Sexual orientation

85. The rights of lesbians, gays, bisexuals, transsexuals, transgenders, transvestites and intersexuals are one of the areas in which the greatest challenges exist. A political and social debate has been growing in Costa Rica on the recognition of the rights arising from the union of two persons of the same sex. However, according to the Constitutional Chamber, this is a matter for lawmakers to decide.[3]

86. A number of bills concerning civil unions between persons of the same sex and the concept of domestic partnerships are currently under consideration in the legislature, and signatures are being collected for a bill for a referendum on equality in marriage.

87. The Constitutional Chamber has recognized that lesbians, gays, bisexuals, transsexuals, transgenders, transvestites and intersexuals have equal rights with regard to the visit of their partners in prison. In October 2011, an article of the Prison System Regulations was declared unconstitutional because it discriminated against same-sex couples in respect of conjugal visits.

88. Concerning recommendation 91.4 made by Spain in the context of the first universal periodic review and relating to the right of transsexual persons to have documents in keeping with their identity, in June 2010 the Supreme Electoral Court issued a decree entitled Regulations for Identity Card Photographs, article 2 of which states that everyone has the right to enjoy respect for their image and sexual identity when a photograph is made for insertion in their identity card.

89. The State supports international initiatives on behalf of lesbians, gays, bisexuals, transsexuals, transgenders, transvestites and intersexuals, such as those approved by the Human Rights Council and the Organization of American States, and has granted refugee status to persons from Africa and Central America who were persecuted because of their sexual or gender identity.

90. Costa Rica is aware that in this area, the biggest challenge is to change cultural paradigms and attitudes in order to encourage and promote respect for lesbians, gays, bisexuals, transsexuals, transgenders, transvestites and intersexuals in all areas. It is here that reference should be made, as an expression of gender violence in society, to discrimination against the above-mentioned persons, who, in disregarding traditional male and female gender roles, become victims of physical, sexual and psychological violence, which is hidden from view by patriarchal cultural patterns.

91. Accordingly, in schools priority has been given to efforts to eradicate such conduct, and in 2012 a special protocol was elaborated on harassment, bullying and cyberbullying in secondary schools which recognizes that disrespect for another's sexual orientation triggers such conduct and specifies how the problem should be addressed, bearing in mind that harassment and bullying must not be taken lightly.

G. Older persons

92. The Third National and International Conference on the Rights of Older Persons in Latin America and the Caribbean, held in 2012, adopted the San José Charter, which noted the agreement of the countries concerned to improve their social protection systems to

respond to the needs of older persons through measures in the areas of social security, health care and social services. Emphasis was also placed on the obligation of States to ensure ageing with rights and dignity, and above all to eradicate the many forms of discrimination affecting such persons, and gender discrimination in particular. This effort points to the need for a convention on the rights of older persons.

93. The Tenth National Policy on Ageing and Old Age 2011–2021 has been elaborated, which focuses on the following strategic areas: (a) social protection, income and prevention of poverty; (b) abandonment, abuse and ill-treatment of older persons; (c) social participation and inter-generational integration; (d) consolidation of rights; and (e) integral health care. Regulations in this regard are being drafted.

V. Economic, social and cultural rights and the fight against poverty

A. General policies and target groups

94. The broadening of coverage under the care network to include children under five years of age in child care services with the help of the Inter-Agency Institute for Social Assistance (refurbishing, increase in hours and equipment) and the creation of new options with the support of municipalities, NGOs and private organizations stand out among the major developments during the first year of the implementation of the Second Plan of Action of the National Policy on Gender Equality and Equity 2012–2014.

95. Reference is made to the launching of a programme for a progressive care network for comprehensive assistance to older persons in Costa Rica through the National Council for Older Persons that broadens alternative assistance offered to poor and socially vulnerable older persons. Of particular note is the campaign on assistance to children, persons with disabilities, sick persons and older persons, in the framework of a sharing of social responsibility that involves the family, private enterprise and the State.

96. With these initiatives, Costa Rica recognizes that the burden for the care of persons who are vulnerable or in a vulnerable state, such as persons with disabilities, children and older persons, falls mainly upon women, which makes it less likely that they can work outside the home and avail themselves of meaningful employment opportunities for their personal development and in some cases forces them to abandon plans for their future lives in order to look after persons in their care. Thus, these measures benefit persons in that category, and women in particular, providing them with the opportunity to devote time to meeting their own needs and pursuing their interests or to achieving a higher quality of life and independence and improving their financial situation by working.

B. Policies aimed at the implementation of rights

1. Education

97. With regard to school drop-out prevention, the AVANCEMOS programme, which is a social initiative, works to encourage adolescents and youths from low-income families to return to the formal school system and to remain enrolled. A conditional financial transfer helps to increase family income, promote access to education and the universalization of secondary school, reduce poverty, assist pupils who have fallen behind and avoid school failure and child labour.

98. Some 8,000 pupils benefited from this programme in 2006, and 150,000 in 2009, a figure which reached 183,203 in December 2011. Mothers or guardians receive financial support for children enrolled in any educational facility of the Ministry of Education.

99. Families are responsible for ensuring that their children meet the conditions set concerning punctual and regular classroom attendance and satisfactory completion of courses, and they receive a staggered sum that increases with each academic year, thus becoming an incentive for educational success. Payment is monthly and continues throughout the year, as long as the pupil remains in school. There is no limit on the number of eligible children from the same family, provided they meet the conditions. Maximum monthly payments per family are set at 80,000 colons (about US$ 160). The programme is open to both Costa Ricans and foreign nationals.

100. Sex education has been taught since 2001 through an educational policy on the expression of human sexuality which incorporates the topic into the school curriculum on a cross-cutting basis. In 2009, the subject was made part of the civic education programme, which for the first time contained units on youth identity, sexual identity and diversity (interculturality).

101. In 2011, the Coexistence Programme was approved, which encourages activities in educational centres aimed at promoting coexistence and relations based on respect, diversity, participation and a sense of belonging and identity.

102. In June 2012, the Supreme Council of Education adopted a comprehensive educational programme on emotional relations and sexuality which is conducted as part of science classes in the third cycle of basic general education (seventh, eighth and ninth grades) and focuses on seven topics: (a) interpersonal relations; (b) culture, power and responsibility; (c) pleasure as a source of well-being; (d) gender; (e) psychosexual identity; (f) reproductive health; and (g) human rights.

103. The implementation of these programmes has been accompanied by teacher training to promote the management of content and new forms of knowledge transfer and evaluation and has led to the creation of forums to encourage discussions with pupil participation. The challenge now is to step up implementation and extend coverage to all levels of the school system.

2. Health care

104. With regard to recommendation 91.12, it should be pointed out that special legislation regulates the State response with regard to medical care, which includes access for women to all services. Abortion is the subject of discussion in a number of quarters, but it is still an offence and is permitted solely for medical reasons.

105. In 2012 and 2013, INAMU gave priority attention to comprehensive health care for women. Its activities took the following form:

(a) Strengthening of the institutional framework for prevention, care and treatment of breast cancer, in conjunction with the Costa Rican Social Security Fund, at the country's 40 breast cancer clinics in order to mainstream gender equality and raise awareness of the services offered;

(b) Direct work with women and organizations of civil society on promoting healthy lifestyles in relation to breast cancer.

106. With regard to the strengthening of the institutional and normative framework in respect of the right to health and safe, informed and responsible sex, Costa Rica has signed and ratified the main international human rights and population and development treaties and has adopted national legislation facilitating the implementation of international

provisions. A number of public policies, plans of action and strategic plans have been elaborated and put in place to guide the work of State institutions.

107. With respect to better access to comprehensive sexual and reproductive health-care services, the challenge is to incorporate sex education as a central element. This is of particular importance because over the past 10 years, the prevalence of HIV in Costa Rica has been growing. Inter-agency coordination is continuing in the National Council on Comprehensive Treatment of HIV-AIDS, which seeks to identify and assist women working on the issue and to mainstream the gender perspective in all projects and programmes. Measures conducted for women with HIV focus on education, awareness-raising and empowerment. A joint initiative of INAMU and the Costa Rican Social Security Fund has been launched which targets indigenous women in the south and supports education and information campaigns on HIV. The General HIV/AIDS Act is currently under review by the Ministry of Health.

108. The data point to the need to redouble efforts in broad, comprehensive programmes on sex education, the prevention of sexually transmitted diseases, including HIV, and quality and youth-friendly sexual and reproductive health services which ensure easy access to protection methods and are tailored to the needs and characteristics of adolescents and young persons. From a perspective of diversity, the services should also consider the specific needs of sexually diverse population groups.

109. The executive branch has proposed a bill to regulate in-vitro fertilization techniques, for which the Ministry of Health and other institutions would be responsible, in order to give effect to the decision of the Inter-American Court of Human Rights. A proposed revision of the chapter on sexual and reproductive health of the Comprehensive Health Care Act has been referred to the Legislative Assembly.

3. Water and sanitation

110. Building on the right to health, life, a clean environment, food and decent living conditions,[4] the Constitutional Chamber recognizes the human right to drinking water as a constitutional right. This requires the State to work to ensure access to drinking water for all.

111. Public institutions must make responsible use of water resources, ensure that water is available for exploitation, guarantee its present provision and sustainability and see to it that its use does not create a risk to the environment that compromises current and future supply.

112. As the lead entity responsible for the management of the national water supply and sanitation system, the Costa Rican Institute for Water Supply and Sanitation is elaborating lines of action, such as the Model Approach for Informal Settlements in the Process of Consolidation, which is directed at vulnerable population groups in the metropolitan area and seeks to improve the water supply infrastructure for persons who do not have access to quality drinking water.

113. In six settlements, the Model Approach has improved the supply of drinking water and quality of life, upgraded the infrastructure and reduced the risk associated with the improper use of water in informal settlements; studies are being conducted to determine technical and hydrological viability. Work involving more than 17 environmentally friendly indigenous rural water supply systems is currently under way.

114. Other projects of interest:

- The second drinking water and basic rural sanitation programme to improve the drinking water and basic sanitation for 14 communities in rural areas in the

provinces of Limón, Guanacaste, Puntarenas and Alajuela, which will improve the living conditions of approximately one per cent of the national population;

- The San José metropolitan area environmental improvement project, based on the concept of environmental sanitation; by 2015, some 1,070,000 persons, or 21.40 per cent of the national population, will benefit;
- The Limón Port City project is in the process of completing the final design of a sewage system which will benefit 26,514 inhabitants;
- The San José metropolitan area water supply programme and the Puerto Viejo, Limón, urban water supply and sewage system project, whose objective is to upgrade the water supply systems of 43 communities nationwide and the Puerto Viejo de Limón sewage system, which will benefit 2,283,947 inhabitants.

115. Costa Rica is aware that it is facing a number of challenges to the goal of access to drinking water for all and that it must step up efforts to eliminate gaps in that regard.

4. Housing

116. In the last four years, the Ministry of Housing and Human Settlements has focused on and coordinated work on housing, human settlements and territorial planning with a view to facilitating efforts to elaborate State policy in these areas. With inter-agency help, a national territorial planning policy 2012–2040 was officially published in May 2013, as was a national land management plan 2020 in December 2013. A national housing and human settlements policy and its plan of action 2030 are also in the process of being officially published.

5. Employment and labour rights

117. In accordance with recommendation 59, major changes have been made to the Act on Sexual Harassment at the Workplace of 2010, including the obligation of prevention. The Act, the scope of which was extended to include men and women, is applicable to relations of harassment between hierarchical equals, inferiors and superiors. Its scope has also been broadened to include education, a guarantee of confidentiality for complaints, a sanctions regime and the principle of *in dubio pro* the victim. Despite these normative developments, the main difficulty in the application of the law is in the private sector.

118. With regard to the fight against child labour, activities are being conducted under public policy coordinated by the Ministry of Labour and Social Security with the technical and economic assistance of the International Labour Organization (ILO) to encourage compliance with principles regarding minors and their fundamental rights. In the framework of the promotion by ILO of decent work in the Americas (An Agenda for the Hemisphere, 2006–2015), Governments proposed the gradual elimination of child labour, setting two regional political objectives: eliminating the worst forms of child labour by 2015, and eliminating child labour entirely by 2020.

119. To that end, Costa Rica has elaborated a national strategic framework entitled "Road map to make Costa Rica a country free of the worst forms of child labour", which coordinates public policies and initiatives with a direct or indirect impact on the prevention and eradication of the worst forms of child labour and on the protection of juvenile workers. The road map has six dimensions: the fight against poverty; education; health care; the legislative and institutional framework; awareness-raising and public outreach; and generation of knowledge and follow-up.

120. With the help of the Ministry of Labour and Social Security, the National Statistics and Census Institute and ILO, a child and adolescent labour unit was incorporated into the 2011 National Household Survey. The findings, which make it possible to identify working

minors as a group so as to direct and focus action in areas with the highest incidence, show a significant decline in the number of working minors, from 1,113,523 in 2002 to 1,022,131 in 2011.

121. For its part, the Office for the Prevention and Eradication of Child Labour and the Protection of Juvenile Workers, the body responsible for directing the policy and specific measures of the Ministry of Labour and Social Security in this area, has placed emphasis on meeting the objective of the National Development Plan to reduce the participation of children in labour activities and to remove juveniles from the worst forms of labour in order to guarantee the full enjoyment of their rights in accordance with national legislation and ratified international conventions. The statistical data show that the public policy implemented in recent years has been positive and is proof of a sustained and significant educational evolution in the fight to eradicate child labour and protect juvenile workers.

Notes

[1] Víctimas de trata.

Nacionalidad	*Fines*	*Mujer Adulta*	*Mujer PME*	*Hombre Adulto*	*Hombre PME*	***Total***
Colombiana	Laboral	1				**1**
Colombiana	Tráfico Ilícito de Órganos	1				**1**
Costa Rica	Sexual	1	3			**4**
Costa Rica	Tráfico Ilícito de Órganos	2				**2**
Costa Rica	Tráfico Ilícito de Órganos			10		**10**
El Salvador	Laboral	2				**2**
Nicaragua	Sexual	4				**4**
Nicaragua	Laboral		1			**1**
República Dominicana	Matrimonio Servil	1				**1**
República Dominicana	Sexual	3				**3**
Total General						**29**

[2] Ver sentencias N° 6336 y N° 7989 del 2005, Voto N° 11762 del 2006. Del año 2009 la N° 1332 y N° 6558. Del 2011 N° 2011-3742, la N° 4815, en 2012 los votos N° 3742, el N° 2053, N° 5310, el Voto N° 6925 el N° 5740.

[3] Sentencia 2006-7262 Sala Constitucional.

[4] Sentencias Sala Constitucional, 8767-09 del año 2009 y 6922-10 del 2010.

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Costa Rica

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the United Nations High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (1967) ICESCR (1968) ICCPR (1968) ICCPR-OP 2 (1998) CEDAW (1986) CAT (1993) OP-CAT (2005) CRC (1990) OP-CRC-AC (2003) OP-CRC-SC (2002) CRPD (2008)	CPED (2012)	ICRMW
Reservations, declarations and/or understandings	-	-	-
Complaint procedures, inquiry and urgent action[3]	ICERD, art. 14 (1974) ICCPR-OP 1 (1968) OP-CEDAW, art. 8 (2001) CAT, arts. 20 (1993), 21 and 22 (2002) OP-CRPD, art. 6 (2008)	OP-CRC-IC (2014) OP-ICESCR (signature only, 2011)	ICCPR, art. 41 ICRMW CPED, arts. 31 and 32

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*[4]
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol[5] Conventions on refugees and stateless persons[6] Geneva Conventions of 12 August 1949 and Additional Protocols thereto[7] ILO fundamental conventions[8] ILO Convention No. 169[9] UNESCO Convention against Discrimination in Education		ILO Convention No. 189[10]

1. In 2011, the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) invited Costa Rica to ratify ICRMW.[11]

2. CRC recommended that Costa Rica ratify OP-ICESCR.[12]

3. CEDAW recommended that Costa Rica ratify ILO Convention No. 189 concerning Decent Work for Domestic Workers.[13]

B. Constitutional and legislative framework

4. CEDAW expressed concern that article 75 of the Constitution might have an impact on the persistence of traditional gender roles.[14]

5. CRC reiterated its concern that possession of child pornography was not fully covered by the Penal Code; in that connection, it recommended that Costa Rica adopt draft law No. 14568. It also recommended the adoption of draft law No. 14204 to ensure extraterritorial jurisdiction for sexual crimes against children committed outside the territory of Costa Rica.[15]

6. CEDAW was concerned that the 2010 Immigration Act did not adequately cover the problems of migrant and refugee women in the labour market.[16]

7. CRC recommended the harmonization of legislation and public policies with the Convention, in particular regarding children affected by migration.[17]

8. In 2009, the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation recommended that Costa Rica adopt a new water law. The law should, inter alia, recognize water as a limited natural resource, include appropriate mechanisms to ensure that water and water facilities/services are accessible to all, and incorporate measures to improve and monitor the quality of potable water.[18] Costa Rica submitted detailed comments on the report of the Independent Expert.[19] In 2013, the

Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment recommended the adoption of an updated water law.[20]

9. The Independent Expert on water and sanitation also recommended that Costa Rica undertake a comprehensive review of its normative framework on sanitation, with a view to ensuring the establishment of a coherent and comprehensive system for the collection, management, treatment and disposal of human excreta and wastewater. Such legislation should recognize that access to sanitation constitutes a sine qua non condition for the effective exercise of other rights.[21]

10. In 2011 the Special Rapporteur on the rights of indigenous peoples noted that, for more than a decade, indigenous leaders had been promoting the development of a bill guaranteeing the rights of indigenous peoples in the country.[22] The Special Rapporteur recalled that in 2007, the Committee on the Elimination of Racial Discrimination (CERD) had recommended that the State "remove without delay the legislative obstacles preventing the adoption of the Autonomous Development of Indigenous Peoples Bill".[23] In its observations on the report of the Special Rapporteur, Costa Rica pointed out that while various groups had advocated the Bill, others had opposed it.[24]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[25]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[26]
Defensoría de los Habitantes	A (2006)	A (2011)

11. While noting that the Defensoría de los Habitantes worked in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including with respect to complaints from or on behalf of children, CRC recommended that Costa Rica establish a specialized unit to protect child rights.[27]

12. The United Nations system in Costa Rica (UN-Costa Rica), referring to the drafting process of the National Plan against Racism and Racial Discrimination, stated that Costa Rica should be urged to define a time frame and specific objectives for that work that allowed progress to be verified and followed up.[28]

13. While welcoming the National Policy for Children and Adolescents (PNNA) 2009–2021,[29] CRC was concerned that programmes to protect child rights, especially regarding violence, commercial sexual exploitation and child labour, were often not implemented at the local level.[30] It recommended that Costa Rica ensure stronger coordination between entities dealing with issues relating to children and provide the National Council on Children and Adolescents and its chair, the National Child Welfare Agency (PANI), with resources.[31] It also recommended that the national plan of action for the implementation of PNNA include a national plan of action for children belonging to minorities, including indigenous, Afro-descendant and migrant children.[32]

14. UN-Costa Rica reported that, given the lack of a system dealing with abandoned children and adolescents in Costa Rica, it was supporting the creation of a national temporary shelter system developed by PANI.[33]

15. CRC urged Costa Rica to ensure that plans to prevent violence discourage repressive actions against children and adolescents, in particular those in vulnerable situations.[34]

16. CEDAW urged Costa Rica to reassign ministerial rank to the Executive President of the National Institute for Women, to enhance the capacity and strengthen the coordination role of the Institute.[35]

17. UN-Costa Rica reported persisting concerns regarding the limited dissemination of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, especially among public sector workers.[36]

18. UN-Costa Rica reported that there was a Commission on Human Rights within the National Commission to Combat AIDS (CONASIDA). However, it did not seem to operate on a regular basis, which decreased the possibility of reducing impunity for discriminatory measures. It recommended that Costa Rica strengthen that body and monitor its work.[37]

19. The Independent Expert on human rights and the environment noted the recent proposal to establish a commission to examine threats to the rights of persons working to protect the environment.[38]

20. UN-Costa Rica identified as good practice the establishment of the Inter-agency Commission for the Follow-up and Implementation of International Human Rights Obligations, which had provided areas of exchange for civil society.[39] UN-Costa Rica renewed its commitment to cooperating with and supporting Costa Rica in the task of implementing the observations made during the new universal periodic review cycle.[40]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies[41]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CERD	August 2007	2014	-	Nineteenth to twenty-first reports pending consideration
CESCR	November 2007	-	-	Fifth report overdue since 2012
HR Committee	November 2007	-	-	Sixth report overdue since 2012
CEDAW	July 2003	2010	July 2011	Seventh report due in 2015
CAT	May 2008	-	-	Third report overdue since 2012
CRC	June 2005 (OP-AC and OP-SC, February 2007)	2009	June 2011	Fifth and sixth reports due in 2016
CRPD	-	2011	-	Initial report pending consideration in 2014
CED	-	-	-	Initial report due in 2014

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
CERD	2008	Adoption of the Autonomous Development of Indigenous Peoples Bill; indigenous rights; and migrant workers[42]	-

Treaty body	*Due in*	*Subject matter*	*Submitted in*
HR Committee	2008	Detention centres and human trafficking[43]	2009;[44] dialogue ongoing[45]
CEDAW	2013	Enhance the national gender mechanism; and sexual and reproductive health[46]	2014[47]
CAT	2009	Pretrial detention; prison overcrowding; migration bill; detention of non-citizens; and investigation of torture[48]	Reminder sent in 2009[49]

B. Cooperation with special procedures[50]

	Status during previous cycle	*Current status*
Standing invitation	Yes	Yes
Visits undertaken	Water and sanitation (19–27 March 2009)[51]	Indigenous peoples (24–27 April 2011)[52] Environment (28 July–1 August 2013)
Visits agreed to in principle	-	-
Visits requested	-	-
Responses to letters of allegations and urgent appeals	During the period under review six communications were sent. The Government replied to all of those communications	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

21. The OHCHR Regional Office for Central America covers cooperation with Costa Rica. During the past four years, the Office provided training on international human rights mechanisms, racial discrimination and ICERD for members of an inter-institutional commission; prepared, jointly with the Ministry of Foreign Affairs, a compilation of recommendations by the international human rights mechanisms issued in relation to Costa Rica; supported the drafting of a national action plan against racial discrimination being developed through a process involving civil society organizations and representatives of African-descent and indigenous peoples; and contributed to the increased awareness of indigenous peoples' organizations regarding the recommendations concerning the Diquis hydroelectric project formulated by the Special Rapporteur on the rights of indigenous peoples, and to the definition of a road map for the implementation of those recommendations.[53] OHCHR also supported the drafting of a handbook to systematize the way cases of discrimination are handled by the national human rights institution.[54]

22. Costa Rica has continued to regularly contribute financially to OHCHR.[55]

III. Implementation of international human rights obligations

A. Equality and non-discrimination

23. In 2011, CEDAW expressed concern about discriminatory traditional attitudes and the negative influence of some religious beliefs and cultural patterns that hampered the advancement of women's rights. The Committee recommended that Costa Rica conduct awareness-raising campaigns to bring about changes in traditional attitudes associated with discriminatory gender roles.[56] CEDAW called on Costa Rica to provide effective protection

against violence and discrimination against women, in line with an accepted UPR recommendation.[57]

24. CEDAW reiterated its concern at the disadvantaged position of women in rural and remote areas, and called upon Costa Rica to pay special attention to their needs.[58] The Committee recommended that Costa Rica promote temporary special measures to achieve women's substantive equality.[59]

25. CRC recommended that Costa Rica strengthen its efforts to eliminate discrimination against indigenous children, children of African descent, migrant children, and children with disabilities; and improve the socioeconomic situation of indigenous and other minority children.[60]

26. CEDAW expressed concern about discrimination against lesbian, bisexual, transgender and intersex women in access to education, employment and health-care services, and about information that some of those women were victims of abuse and mistreatment by health service providers and law enforcement officials. It urged Costa Rica to combat discrimination against women based on their sexual orientation and gender identity.[61]

27. UN-Costa Rica reported that regulations and practices had yet to be amended to ensure that identity documents, including those for migrants, corresponded to the gender identity and expression of all holders.[62]

B. Right to life, liberty and security of the person

28. CRC noted allegations of ill-treatment of juveniles in detention and in penal institutions. It urged Costa Rica to investigate all cases of ill-treatment of children by police officers and prison guards.[63]

29. In the framework of follow-up to concluding observations in 2010 and 2011, the Human Rights Committee requested complementary information regarding the measures to improve detention conditions and solve overcrowding in detention centres, including those administered by the migration authorities.[64]

30. While acknowledging the prevention system on violence against women and within the family, CEDAW was concerned at the 52,103 cases of domestic violence in 2009. It called upon Costa Rica to enhance coordination among institutions providing assistance and support and ensure shelters to victims.[65] UN-Costa Rica indicated that political decisions and funding were needed to overcome the limitations that had a negative impact on said approach to violence against women.[66]

31. CRC was concerned about the high incidence of intrafamily and sexual violence against children and adolescents, in particular girls. Referring to the UPR recommendations on domestic violence addressed to the State in 2009, CRC recommended the amendment of the 1996 Domestic Violence Act to define domestic violence as a crime; strengthen public awareness programmes; and provide systematic training to judges, prosecutors, police and other law enforcement officers.[67]

32. CRC remained concerned at the high number of complaints from children and adolescents regarding mistreatment by teachers. It recommended that Costa Rica fully implement Act No. 8654 prohibiting corporal punishment and effectively prosecute cases, irrespective of whether or not such punishment resulted in physical injuries.[68]

33. While noting the initiatives to address trafficking in women and girls, CEDAW was concerned at the lack of resources to combat trafficking and prostitution and at the low numbers of cases investigated.[69] It urged Costa Rica to address the complexities of

trafficking in women and girls and exploitation of prostitution and to harmonize legal procedures aimed at prosecuting traffickers.[70]

34. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported that the Act against the Smuggling of Migrants and Trafficking in Persons had been enacted in 2013. Through the Act, the Government had established the National Coalition against the Smuggling of Migrants and Human Trafficking, which had authorized the provision of temporary visas to assist victims of human trafficking.[71]

35. CRC noted with concern trafficking in children for purposes of forced labour and sexual exploitation, particularly in the sex tourism industry, and the absence of criminal law provisions specifically criminalizing trafficking in children.[72] It recommended that Costa Rica criminalize all forms of trafficking in children; facilitate access to justice and provide compensation for child victims, and ensure their referral to the asylum procedure; and enhance victim protection and assistance.[73]

36. CRC remained concerned about the high number of children, including children in street situations, who were victims of sexual exploitation.[74]

37. CRC recalled the UPR recommendations addressed to Costa Rica in 2009, and expressed concern about the reportedly high number of children engaged in child labour. It recommended that Costa Rica adopt a coordinated strategy and a dedicated budget for combating the worst forms of child labour and strengthen the Labour Inspectorate.[75]

38. UN-Costa Rica was concerned by the large number of children involved in child labour. It noted the UPR recommendations and remained concerned by the absence of a coordinated strategy and a specific budget to combat the worst forms of child labour. It also reported that Costa Rica received a significant number of migrant indigenous communities and said that attention should be paid to the work of minors on coffee plantations, which required the adoption of institutional action aimed at eradicating child labour.[76]

C. Administration of justice, including impunity

39. UN-Costa Rica reported that there was a lack of specific and comprehensive prison regulations incorporating a human rights perspective with a gender focus, aimed at effectively addressing social reintegration. A bill had recently been presented on the execution of sentences that had been drawn up with the participation of several interested institutions, with the support of the United Nations Development Programme. UN-Costa Rica said that the executive and legislative powers should be urged to promote discussion of the bill given the noticeable worsening of prison conditions.[77]

40. CRC was concerned about the high number of children and adolescents in juvenile detention centres and penal institutions. It recommended that Costa Rica train judges who are in the juvenile justice system, including on non-custodial measures, and improve detention conditions for persons below the age of 18.[78]

41. CRC recommended that Costa Rica ensure the protection of child victims and witnesses, as well as their access to redress and reparation.[79]

42. CEDAW urged Costa Rica to undertake awareness-raising campaigns targeted at women in order to ensure their capacity to claim protection of their rights.[80]

D. Right to privacy, marriage and family life

43. CRC noted with concern that indigenous children and children of seasonal workers from neighbouring countries were in some cases not registered at birth. It recommended

that Costa Rica register at birth all indigenous and migrant children and provide them with personal documents that enable their access to social services.[81]

44. CRC noted with concern that children aged 15–18 could get married with their parents' consent, and also noted the very low minimum age of sexual consent of 13 years.[82]

45. CRC was concerned that many children were placed in institutions rather than in family-type care settings, in particular children in situations of greater vulnerability. It recommended that Costa Rica give preference to family-type care over institutions.[83]

46. CRC recommended that Costa Rica adopt legislation prohibiting direct adoptions without intervention by PANI and harmonize domestic legislation with international legal standards on adoption.[84]

47. UN-Costa Rica reported that the Constitutional Chamber had rejected an application for constitutional review of article 14, subsection 6, of the Family Code and article 176 of the Criminal Code, which prevent civil marriage between persons of the same sex. Civil society is mobilizing to present a bill, as a people's initiative, that establishes equal marriage.[85]

E. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

48. The United Nations Educational, Scientific and Cultural Organization (UNESCO) welcomed progressive efforts in eliminating criminal defamation, including the amendment to the Computer Crimes Act in 2013 to eliminate imprisonment for publishing what is considered as secret political information.[86] UNESCO encouraged Costa Rica to adopt a freedom of information law that was in line with international standards.[87]

49. CRC recommended that Costa Rica strengthen the opportunities for children and adolescents, including girls, to freely express their views, and take into consideration the special requirements of children with disabilities, indigenous and migrant children and other children in situations of vulnerability.[88]

50. CEDAW noted with satisfaction the amendment of the 2009 Electoral Code, which changed the system of quotas for women's participation in political life to a system based on gender parity.[89] The Committee recommended that Costa Rica adopt, whenever necessary, temporary special measures to accelerate women's full and equal participation in public and political life, in particular with respect to disadvantaged groups of women, such as women with disabilities, indigenous women and women of African descent.[90]

F. Right to work and to just and favourable conditions of work

51. CEDAW expressed its concern that gender stereotypes might have an impact on women opting for traditional social occupations, and on their limited comparative advantage in the labour market, despite their remaining longer than men in the educational system and obtaining higher qualifications.[91] It also expressed concern at the unequal working conditions of women; the persistence of occupational segregation and the concentration of women in low-paid jobs; and wage disparities between women and men in both the public and private sectors.[92]

52. CEDAW was concerned that a large number of sexual harassment complaints had been dismissed. It recommended that Costa Rica ensure that perpetrators are prosecuted.[93]

G. Right to social security and to an adequate standard of living

53. The Independent Expert on water and sanitation urged Costa Rica to strengthen the implementation of its legislation and policies on the collection, management, treatment and disposal of human excreta and wastewater to prevent the contamination of rivers and other water streams.[94]

54. CRC was concerned that poverty and inequalities had increased in Costa Rica. It recommended that the State ensure that benefits in the social services are equitable.[95]

H. Right to health

55. CRC was concerned about the high infant mortality among indigenous and other minority children due to, inter alia, preventable diseases, and about the low coverage of primary health-care services in rural and coastal areas. It recommended that Costa Rica ensure affordable access to basic health care for all children.[96]

56. CEDAW expressed concern about the inadequate protection of sexual and reproductive rights and about the limited assisted reproductive health services, including in vitro fertilization, which was declared unconstitutional by the Supreme Court of Justice in 2000. It urged Costa Rica to adopt the amendment to the General Health Act, which envisaged the introduction of a chapter on sexual and reproductive rights; consider lifting the ban on in vitro fertilization and ensure access to assisted reproductive services; and make accessible and available technologically advanced contraceptive methods to women.[97]

57. CRC recommended that Costa Rica design and implement an intersectoral public policy for health and sexual and reproductive rights aimed at adolescents.[98]

58. UN-Costa Rica reported that pregnant migrant women with irregular status could not access antenatal and postnatal care programmes.[99]

59. CRC was concerned about the lack of access to legal abortion, the absence of guidelines that inform doctors when they can legally perform an abortion, and the high rate of unsafe abortions.[100] CEDAW recommended that Costa Rica elaborate clear medical guidelines on access to legal abortion and consider reviewing the law relating to abortion to identify other circumstances under which abortion could be permitted, such as abortions in cases of pregnancies resulting from rape or incest,[101] including intrafamily sexual violence.[102]

60. UN-Costa Rica reported that the Inter-American Commission on Human Rights had received complaints that therapeutic abortions were denied. Abortion was permitted only in cases where the life or health of the mother was in danger; however, a restrictive interpretation tended to be applied to "health" and, because no institutional mechanism existed that required legislation to be applied, service providers' beliefs tended to be the basis for decisions taken in that regard.[103]

61. CRC was concerned about the high rate of early pregnancies and recommended that Costa Rica reinforce support for child and adolescent mothers.[104]

I. Right to education

62. CRC recommended that Costa Rica reinforce bilingual and intercultural education models for indigenous children, and include education on indigenous cultures in the national school curriculum, with a view to promoting respect for diversity.[105]

63. CRC recommended that Costa Rica develop programmes to reduce school drop-out, consider increasing investment in educational infrastructure, and promote more effective programmes to address low school attendance by indigenous and migrant children.[106]

64. CEDAW called upon Costa Rica to eradicate gender stereotypes from the curricula in both formal and informal education.[107]

65. Noting that teenage pregnancy was one of the causes of girls dropping out of school, CEDAW called upon Costa Rica to introduce a programme on sexual and reproductive health and rights education.[108]

66. UNESCO indicated that Costa Rica could be encouraged to further elaborate provisions in its legislation and/or report on the justiciability of the right to education;[109] to strengthen measures that allowed indigenous communities to have access to education;[110] to continue to promote cultural development for the indigenous population;[111] and to incorporate human rights education in school curricula.[112]

J. Persons with disabilities

67. CRC noted with concern that Costa Rica had not adopted any implementing legislation or an integrated policy to protect the rights of children with disabilities.[113] It recommended that Costa Rica improve the coverage of the public support network aimed at children and adolescents with disabilities to ensure they have adequate access, including in rural areas, to, inter alia, medical care and social services as part of the National Health System; ensure that schools and classrooms are physically accessible; and prioritize the progressive implementation of inclusive education for children with disabilities.[114]

68. UN-Costa Rica reported that since 2012 a National Disability Policy 2011–2021 had been in place in Costa Rica setting out commitments and creating a technical body, which was being developed through the Policy Action Plan.[115]

K. Minorities and indigenous peoples

69. UN-Costa Rica reported that the indigenous population suffered not only from discrimination, but also from a high degree of invisibility, including with regard to the priorities of public policy.[116]

70. CEDAW encouraged Costa Rica to accelerate the improvement of conditions of indigenous and Afro-descendant women.[117]

71. In 2010, the Committee on the Elimination of Racial Discrimination examined the situation of the indigenous people of Térraba under its early warning and urgent action procedure.[118] The Committee expressed its concern that the people of Térraba had not been consulted concerning a hydroelectric dam project.[119] It stated that the construction of the Diquís dam would interfere in the traditional lands of indigenous peoples, endangering the cultural and even physical survival of the Térraba people and aggravating their current conditions of extreme poverty.[120] The Committee reiterated that the State should guarantee the right to land tenure to indigenous peoples.[121]

72. In 2011, the Special Rapporteur on the rights of indigenous peoples made a series of observations and recommendations on the situation of the indigenous peoples affected by the El Diquís hydroelectric dam project.[122] The Special Rapporteur emphasized that all parties agreed on the need to conduct consultations, in accordance with international norms with the indigenous peoples in the areas affected by the project prior to its approval.[123] He proposed that, with the consent of all parties, a team of independent experts should be

established to facilitate the consultation process.[124] In its observations, the Government declared its interest in the Rapporteur's proposal and sought and expressed appreciation for the support of the United Nations system in assembling the team.[125]

73. UN-Costa Rica reported that as part of the follow-up to the Special Rapporteur's recommendations, a discussion forum had been initiated alongside the Ombudsman's Office. The State, among others, should be urged to: formalize the discussion forum, or an equivalent mechanism, by decree; include a specific chapter for indigenous peoples in the National Development Plan; promote legislation guaranteeing the autonomy of indigenous peoples; and use dialogue to develop the necessary tools for consultation processes.[126]

74. The Special Rapporteur on the rights of indigenous peoples noted that Costa Rica had granted legal protection to indigenous lands. However, he pointed out that those lands were mainly inhabited by non-indigenous persons.[127] Solutions needed to be sought to allow indigenous peoples to recover the land within their territories.[128] In its observations, the Government expressed its willingness to discuss the matter.[129]

75. In 2011, CERD expressed concern about the pressure which indigenous people of Térraba were under to support the dam project;[130] and about the Government's claims that the situation surrounding the Diquís dam was a reason not to approve the bill on the autonomy of indigenous peoples.[131] CERD requested that the recommendations of the Special Rapporteur on the rights of indigenous peoples be implemented.[132]

76. In 2013, CERD expressed concern at acts of violence committed against the Terribe and Bribri peoples and the illegal occupation of their lands.[133] It requested Costa Rica to guarantee the right to land of Terribe and Bribri peoples and urged it to approve the bill on the autonomous development of indigenous peoples.[134]

L. Migrants, refugees and asylum seekers

77. UN-Costa Rica said that Costa Rica had made progress in addressing the phenomenon of migration. The Migration and Aliens Act and its regulations had moved beyond a focus on national security and towards a human rights perspective, but there was still a long way to go to achieve universal recognition of and access to the rights of migrants and their families. It was important to press for the signing and ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[135]

78. UNHCR indicated that Costa Rica had made significant efforts towards developing alternatives to the administrative detention of undocumented migrants. The length of administrative detention had also been reduced. More efforts were needed to ensure the prompt identification of persons who may be in need of international protection.[136]

79. UN-Costa Rica said that complaints relating to the exploitation of migrant workers, including cases of human trafficking, reflected vulnerabilities in some labour sectors, such as domestic work, agro-industry and construction.[137]

80. CEDAW recommended that Costa Rica conduct a review of the legal protection afforded to women migrant domestic workers under the 2009 Paid Domestic Work Act and other relevant legislation.[138]

81. UNHCR indicated that, in the past 13 years, Costa Rica had recognized approximately 12,500 refugees from 42 countries. The new Immigration Act, in line with international refugee protection standards, had entered into force in 2010. The Act had modified the refugee status determination system and created several bodies to receive and assess claims, and to process first and second instance appeals.[139] UNHCR recommended that Costa Rica enhance the effectiveness of the refugee status determination procedure,

increase human resources in order to eliminate the backlog of pending asylum claims, and reduce the time frames for decision-making at all stages of the procedure.[140]

82. UNHCR highlighted as achievements the adoption of the 2010 Immigration Act, which included the principle of non-refoulement and incorporated gender-based persecution as a specific ground for recognition of refugee status. The Act also provided for humanitarian considerations of special categories of persons to be granted asylum (stateless persons and victims of trafficking) and other humanitarian visas.[141] UN-Costa Rica stated that in 2012, Costa Rica had granted international protection as refugees to two persons suffering persecution in their countries of origin because of their sexual orientation.[142]

83. Costa Rica had further adopted the Refugee Regulations for the Immigration Act, which provided asylum seekers with the right to work while awaiting a resolution on their asylum claim.[143]

84. UNHCR recommended that Costa Rica continue to facilitate the local integration of refugees, raise awareness in order to combat discrimination and xenophobia vis-à-vis asylum seekers and refugees, and ensure that persons of concern are not denied identification documents.[144]

85. UNHCR recommended that Costa Rica continue to develop alternatives to detention and ensure that detention of asylum seekers is used as a last resort.[145]

86. UNHCR recommended that Costa Rica enact regulations to the Act against the Smuggling of Migrants and Trafficking in Persons in order to reinforce the identification of and assistance for victims of trafficking, and establish a referral mechanism to enable such victims to apply for asylum, wherever appropriate.[146]

87. UNHCR recommended that Costa Rica implement a statelessness determination procedure to identify stateless persons within its territory, and intensify efforts to improve the birth registration rates of children coming from indigenous groups, among other vulnerable groups.[147]

M. Right to development and environmental issues

88. The Independent Expert on human rights and the environment reported that the Constitution of Costa Rica included the right to a healthy environment, and that the country had gone much further than most by adopting a human rights-based approach to protecting the environment.[148] He highlighted the success of Costa Rica in replanting forests in its territory, increasing coverage from 26 per cent to the current figure of more than 52 per cent, giving current and future generations the security of a healthier environment. He also drew attention to its sustainable tourism practices and the participation of communities in environment protection planning.[149]

89. The Independent Expert emphasized that there were still significant challenges to be met, such as the need to strengthen State protection and surveillance in protected areas. He also observed that in response to the perceived vulnerability of such areas, social and community organizations as well as individual citizens had undertaken surveillance tasks, which had put them at risk.[150]

Notes

[1] Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of

the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Costa Rica from the previous cycle (A/HRC/WG.6/6/CRI/2).

[2] The following abbreviations have been used for the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

[4] As at 16 January 2014.

[5] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[6] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

[7] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

[8] International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[9] ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.
[10] International Labour Organization Convention No. 189 concerning Decent Work for Domestic Workers.
[11] Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/CRI/CO/5-6), para. 45 and concluding observations of the Committee on the Rights of the Child (CRC/C/CRI/CO/4), para. 86.
[12] CRC/C/CRI/CO/4, para. 86.
[13] CEDAW/C/CRI/CO/5-6, para. 29.
[14] Ibid., para. 18.
[15] CRC/C/CRI/CO/4, paras. 79–80.
[16] CEDAW/C/CRI/CO/5-6, para. 28.
[17] CRC/C/CRI/CO/4, para. 10.
[18] A/HRC/12/24/Add.1 and Corr.1, para. 75 (b), (d) and (e).
[19] A/HRC/12/G/3, p. 4.
[20] Press release, "Independent Expert concludes visit to Costa Rica". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13609&LangID=E (English) and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13609&LangID=S (Spanish).
[21] A/HRC/12/24/Add.1 and Corr.1, para. 77.
[22] A/HRC/18/35/Add.8, para. 45.
[23] Ibid., para. 48 and concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/CRI/CO/18), para. 9.
[24] A/HRC/18/G/8, pp. 12–13.
[25] According to article 5 of the rules of procedure for the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).
[26] For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/23/28, annex.
[27] CRC/C/CRI/CO/4, para. 15.
[28] UNCT submission to the UPR on Costa Rica, p. 8.
[29] CRC/C/CRI/CO/4, para. 5 (a). See also CRC/C/CRI/CO/4, para. 14.
[30] Ibid., para. 12.
[31] Ibid., para. 13. See also CRC/C/CRI/CO/4, para. 17.
[32] CRC/C/CRI/CO/4, para. 14 (c).
[33] UNCT submission, p. 5.
[34] CRC/C/CRI/CO/4, para. 44.
[35] CEDAW/C/CRI/CO/5-6, para. 15.
[36] UNCT submission, p. 3.
[37] Ibid., p. 9.
[38] Press release (see endnote 20 above)
[39] UNCT submission, p. 17.
[40] UNCT submission, cover letter.
[41] The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Committee on the Rights of Persons with Disabilities

CED Committee on Enforced Disappearances

[42] CERD/C/CRI/CO/18, para. 24.
[43] Concluding observations of the Human Rights Committee (CCPR/C/CRI/CO/5), para. 15.
[44] CCPR/C/CRI/CO/5/Add.1 and Add.2.
[45] Letters dated 30 July 2009, 28 September 2010 and 10 May 2011 from the HR Committee to the Permanent Mission of Costa Rica in Geneva. Available from http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CCPR&Lang=en.
[46] CEDAW/C/CRI/CO/5-6, para. 46.
[47] CEDAW/C/CRI/CO/5-6/Add.1.
[48] CAT/C/CRI/CO/2, para. 29.
[49] Letter dated 12 November 2009 from CAT to the Permanent Mission of Costa Rica in Geneva. Available from http://www2.ohchr.org/english/bodies/cat/docs/followup/ReminderCostaRica_40.pdf.
[50] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
[51] A/HRC/12/24/Add.1 and Corr.1 and response of Costa Rica to the report (A/HRC/12/G/3).
[52] A/HRC/18/35/Add.8 and comments of Costa Rica on the report (A/HRC/18/G/8).
[53] *OHCHR Report 2012*, "OHCHR in the field: Americas", p. 227. Available from http://www2.ohchr.org/english/ohchrreport2012/web_en/allegati/16_Americas.pdf.
[54] *OHCHR Report 2011*, "OHCHR in the field: Americas", p. 284. Available from http://www2.ohchr.org/english/ohchrreport2011/web_version/ohchr_report2011_web/allegati/22_Americas.pdf.
[55] *OHCHR Report 2012*, p. 159.
[56] CEDAW/C/CRI/CO/5-6, paras. 18–19.
[57] Ibid., para. 41.
[58] Ibid., paras. 34–35.
[59] Ibid., para. 17.
[60] CRC/C/CRI/CO/4, para. 30 (a) and (b).
[61] CEDAW/C/CRI/CO/5-6, paras. 40–41.
[62] UNCT submission, p. 8.
[63] CRC/C/CRI/CO/4, paras. 43 (b) and 44.
[64] Letters dated 28 September 2010 and 10 May 2011 from the HR Committee to the Permanent Mission of Costa Rica in Geneva. Available from http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CCPR&Lang=en. See also CCPR/C/CRI/CO/5, para. 9.
[65] CEDAW/C/CRI/CO/5-6, paras. 20 and 21 (a) and (b).
[66] UNCT submission, p. 3.
[67] CRC/C/CRI/CO/4, paras. 53 and 54 (b) (f) and (g).
[68] Ibid., paras. 45 and 46 (a).
[69] CEDAW/C/CRI/CO/5-6, para. 22. See also CRC/C/CRI/CO/4, para. 77 (c). See also UNCT submission, p. 12.
[70] CEDAW/C/CRI/CO/5-6, para. 23 (a) and (d). See also UNCT submission, p. 12.
[71] UNHCR submission to the UPR on Costa Rica, p. 2.
[72] CRC/C/CRI/CO/4, para. 77 (a) and (b).
[73] Ibid., para. 78 (a) (d) and (e).
[74] Ibid., para. 75.
[75] Ibid., paras. 73 and 74 (a) and (b).
[76] UNCT submission, p. 6.
[77] Ibid., p. 2.
[78] CRC/C/CRI/CO/4, paras. 83 (a) and 84 (a) and (b).
[79] Ibid., para. 85.
[80] CEDAW/C/CRI/CO/5-6, paras. 10–11.
[81] CRC/C/CRI/CO/4, paras. 35–36.
[82] Ibid., para. 27.
[83] Ibid., paras. 49 and 50 (c).
[84] Ibid., para. 52 (a).
[85] UNCT submission, p. 7.

[86] UNESCO submission to the UPR on Costa Rica, para. 30.
[87] Ibid., para. 31.
[88] CRC/C/CRI/CO/4, para. 34 (a) and (c).
[89] CEDAW/C/CRI/CO/5-6, para. 24. See also CEDAW/C/CRI/CO/5-6, para. 5.
[90] Ibid., para. 25 (b).
[91] Ibid., para. 26.
[92] Ibid., para. 28.
[93] Ibid., paras. 30 and 31 (a).
[94] A/HRC/12/24/Add.1 and Corr.1, para. 80.
[95] CRC/C/CRI/CO/4, paras. 65 and 66 (b).
[96] Ibid., paras. 57 and 58 (a).
[97] CEDAW/C/CRI/CO/5-6, paras. 32 and 33 (a) (b) and (e). See also CRC/C/CRI/CO/4, paras. 63 (d) and (e), and 64 (b) and (e). See also UNCT submission, p. 5.
[98] CRC/C/CRI/CO/4, para. 64 (b).
[99] UNCT submission, p. 16.
[100] CRC/C/CRI/CO/4, para. 63 (c). See also CEDAW/C/CRI/CO/5-6, para. 32.
[101] CEDAW/C/CRI/CO/5-6, para. 33 (c) and (d). See also CRC/C/CRI/CO/4, para. 64 (c).
[102] CRC/C/CRI/CO/4, para. 64 (d).
[103] UNCT submission, p. 5.
[104] CRC/C/CRI/CO/4, paras. 63 (a) and 64 (a).
[105] Ibid., para. 70 (a) and (e).
[106] Ibid., para. 68 (a) (c) and (d). See also UNCT submission, p. 15.
[107] CEDAW/C/CRI/CO/5-6, para. 27 (b).
[108] Ibid., paras. 26 and 27 (c). See also CRC/C/CRI/CO/4, para. 64 (f).
[109] UNESCO submission, para. 25.
[110] Ibid., para. 26.
[111] Ibid., para. 27.
[112] Ibid., para. 28. See also UNCT submission, p. 15.
[113] CRC/C/CRI/CO/4, para. 55.
[114] Ibid., paras. 56 (b), and 72 (a) and (b). See also CRC/C/CRI/CO/4, para. 56 (a).
[115] UNCT submission, p. 8.
[116] Ibid., p. 13.
[117] CEDAW/C/CRI/CO/5-6, para. 39.
[118] Letter dated 27 August 2010 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1. Available from http://www2.ohchr.org/english/bodies/cerd/docs/early_warning/CostaRica27082010.pdf.
[119] A/65/18, para. 27, and letter dated 27 August 2010 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1.
[120] Letter dated 27 August 2010 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1. See also A/65/18, para. 27.
[121] Letter dated 27 August 2010 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 2.
[122] A/HRC/18/35/Add.8, paras. 8–48.
[123] Ibid., para. 11.
[124] Ibid., para. 38.
[125] A/HRC/18/G/8, p. 11.
[126] UNCT submission, pp. 13–14.
[127] A/HRC/18/35/Add.8, para. 42.
[128] Ibid., para. 44.
[129] A/HRC/18/G/8, p. 12.
[130] A/66/18, para. 25 and letter dated 2 September 2011 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1, available from http://www2.ohchr.org/english/bodies/cerd/docs/early_warning/CostaRica02092011.pdf.
[131] Letter dated 2 September 2011 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1
[132] Ibid., p. 2.
[133] A/68/18, para. 29 and letter dated 1 March 2013 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 1, available from http://www2.ohchr.org/english/bodies/cerd/docs/early_warning/CostaRica1March2013.pdf.

[134] A/68/18, para. 29 and letter dated 1 March 2013 from CERD to the Permanent Mission of Costa Rica in Geneva, p. 2.
[135] UNCT submission, p. 9.
[136] UNHCR submission, p. 3.
[137] UNCT submission, p. 9. See also p. 16.
[138] CEDAW/C/CRI/CO/5-6, para. 37.
[139] UNHCR submission, p. 1.
[140] Ibid., p. 4.
[141] Ibid., p. 2.
[142] UNCT submission, p. 8.
[143] UNHCR submission, p. 2.
[144] Ibid., p. 5.
[145] Ibid., p. 6.
[146] Ibid., p. 7.
[147] Ibid., p. 8.
[148] Press release (see endnote 20 above).
[149] Ibid.
[150] Ibid.

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Costa Rica*

Summary

The present report is a summary of 10 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles

1. The Ombudsman's Office was consulted on the preparation of the plan to combat racism and racial discrimination, (recommendation 91.1[2]), a process during which the need to design a national policy[3] was recognized.

2. The efforts of LGBTI organizations have been supported (recommendation 89.16[4]); however, progress has come primarily through the rulings of the Constitutional Chamber of the Supreme Court.[5] The Ombudsman's Office points to a lack of political will to recognize and regulate same-sex unions.[6] Although in 2011, the Constitutional Chamber declared unconstitutional the phrase "of a different gender" in article 66 of the Technical Regulations of the Penitentiary System,[7] thereby recognizing the right of partners in same-sex unions to visits in prisons,[8] in 2012, the Ombudsman's Office found that the authorities were reluctant to process requests because they claimed that would entail regulations, new psychological tests and additional social work.[9] As a result of a suit brought by the Ombudsman's Office, the Constitutional Chamber declared unconstitutional the application of security measures on grounds of homosexuality or involvement in prostitution, references to which could still be found in the Criminal Code, articles 98, paragraph 6, and 102, subparagraph (e).[10]

3. The Ombudsman's Office points out that the national torture prevention mechanism has come under its authority (recommendation 89.20[11]). The activities of this mechanism, however, are limited to inspecting penitentiary institutions and police cells and do not extend to the other places of deprivation of liberty where the physical integrity and dignity of persons might be jeopardized, as specified in article 4 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[12]

4. In April 2013, overcrowding in the prison system, stood at 33 per cent, as a result of a misguided criminal policy (recommendation 89.21[13]). Amendments have been made to procedural laws and the Criminal Code. Courts have been set up to hear cases of flagrant but relatively minor violations of the law, extra grounds for pretrial detention have been added and penalties have been increased for property offences and bodily harm, thereby circumventing the procedural benefit of a conditional sentence and guaranteeing deprivation of liberty.[14] Health services have been affected by the growth of the inmate population (recommendation 89.31[15]) and have been the subject of complaints about delays in medical attention and the lack of vehicles and personnel for transferring inmates to external medical appointments. Another relevant factor in this context is the State party's claim in its report that some progress has been made in respect of agreements on medical care. The agreement between the Ministry of Justice and Peace and the Costa Rican Social Security Fund was never concluded because of the Fund's resistance to taking on the provision of services inside prisons, a situation that has kept the Office of the Comptroller-General of the Republic from approving the agreement.[16]

5. In 2009, pursuant to the Act on the protection of victims, witnesses and other parties involved in criminal proceedings and the inclusion of article 239 bis in the Code of Criminal Procedure, further grounds for pretrial detention were added as a precautionary measure in criminal proceedings (recommendation 89.54[17]). This amendment has led to frequent recourse to deprivation of liberty without trial. The fact that the State party simply forwarded the recommendation to the judiciary is unacceptable.[18]

6. The Government has set forth in the law a national response and prevention system on violence against women and violence within the family (recommendation 91.6) — a significant advance — but achieving targets and ensuring coordination remain problematic.[19] Problems persist with the application by the courts of the Act criminalizing violence against women (recommendation 89.23[20]).[21] The National Institute for Women is the authority responsible for providing legal assistance to victims of domestic violence, but such services are mainly available in the metropolitan area (recommendation 89.28[22]).[23]

7. In 2013, the Act on trafficking in persons and the establishment of the national coalition against migrant smuggling and human trafficking entered into force as the legal framework for the drafting and implementation of public policies (recommendation 89.37[24]). The main challenges relate to the implementation of the Act and the adoption of measures for victim care.[25]

8. A road map for ridding Costa Rica of the worst forms of child labour was published in 2010, in accordance with the targets of eliminating the worst forms of child labour by 2015 and eliminating all child labour completely by 2020, set out in the agenda for the hemisphere (recommendations 89.42,[26] 89.43,[27] 89.44,[28] 89.45,[29] 89.46,[30] 89.47,[31] 89.48[32] and 89.49[33]). The road map was included in the National Development Plan 2010–2014 and in operational plans, and the Ombudsman's Office is following up on its implementation.[34]

9. The Labour Code was amended in 2010 to regulate domestic work by adolescents, and the Act prohibiting dangerous and unhealthy work for adolescents was promulgated in 2011.[35]

10. The Ombudsman's Office is a member of the National Commission for Improved Administration of Justice and, as such, has monitored the observance of the Brasilia Regulations regarding Access to Justice for Vulnerable People, which were issued during the XIV Ibero-American Judicial Summit and approved by the Supreme Court in 2008 (recommendation 89.55[36]).[37]

11. The Criminal Code was amended through Act No. 9048 (2012) to regulate computer crime (recommendation 91.9[38]). As a result of society's reaction, the Legislative Assembly adopted Act No. 9135 (2013), amending article 293 to align the criteria for State secrecy with constitutional case law. However, a constitutionality suit is under way, in which has been incorporated a suit brought by the Ombudsman's Office regarding the failure to fully regulate State secrecy and the transparency and accessibility of personal data kept by public entities.[39]

12. Costa Rica has a State religion under the Constitution, which makes it difficult to accord a role in public affairs to religions or churches other than the Catholic Church (recommendation 91.10[40]).[41]

13. The Ombudsman's Office reports that the Electoral Code amendment guaranteeing gender parity in elected office was in effect during the 2010 elections and that Act No. 8901, on quotas for women,[42] has been suspended pending a constitutionality suit (recommendations 89.12,[43] 89.13[44] and 89.14[45]).[46]

14. The Legislative Assembly does not usually consult indigenous peoples when discussing bills that may affect their rights and interests (recommendation 91.11[47]). Nor is there a mechanism for the participation of indigenous peoples in decision-making regarding their well-being and development.[48]

15. Granting benefits under the non-contributory scheme was included in the National Development Plan 2010–2014 as a strategy to address the situation of people living in extreme poverty (recommendations 89.60[49] and 89.63[50]). One of the main complaints is slow processing.[51] The situation of the non-contributory scheme reflects the half-measures taken to reduce poverty undertaken by the various governments, most of which have been

welfare policies targeting specific population groups without a concomitant shoring up of overall social policies that would enable them to break the cycle of poverty.[52]

16. Regarding recommendation 89.66,[53] the Ombudsman's Office reports that, pursuant to the Migration and Aliens Act, migrants have to contribute to the Costa Rican Social Security Fund as a precondition to the processing of their migration application. Given this obligation, the Fund requires that their migration status should be regularized. The contradiction between these obligations has given rise to coordination problems between the Migration and Aliens Office and the Fund.[54]

17. Regarding the access to housing of indigenous persons (recommendations 89.67[55] and 89.68[56]), the authorities have set up a commission to regulate the allocation of housing in indigenous territories.[57]

18. The Fund does not have standard procedures to deal with abortion (recommendation 91.12[58]), reflecting a reluctance to recognize sexual and reproductive rights.[59]

19. The Ombudsman's Office identifies the inclusion of sex education in basic instruction[60] and the publication of the plan on violence against minors as significant advances.[61]

20. Costa Rica has scholarships for primary and secondary education to ensure that children stay in the school system; however, shortcomings hamper the actual access of children to education (recommendations 89.69,[62] 89.70,[63] 89.71[64] and 89.72[65]).[66]

21. The Ombudsman's Office took part in drafting regulations based on the Migration and Aliens Act by providing comments on proposals (recommendations 89.78[67] and 89.79[68]).[69]

22. It also has observer status with the inter-agency commission on follow-up and implementation of international human rights obligations (recommendation 89.86[70]).[71]

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations[72]

23. The Coalición de Organizaciones Afrodescendientes (Joint submission No. 5) expresses concern at the fact that Costa Rica has not completed procedures to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, despite having signed it in 2011.[73]

24. The NGO coalition (CR-NGOs) states that in order to harmonize national laws with international standards, Costa Rica has to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Office of the Counsel-General of the Republic has stated that it has no objections on legal grounds to the ratification of the Convention: there are no conflicts of law or constitutionality.[74]

2. Constitutional and legislative framework

25. MULABI-SRI indicates that Costa Rica has adopted the main United Nations human rights instruments and that the Constitution stipulates that they supersede national laws. The Constitutional Chamber has declared them to have precedence over the Constitution whenever they grant more individual rights and guarantees.[75]

26. The Coalición de Organizaciones y Redes Juveniles (Joint submission No. 6) recommends urging the Legislative Assembly to approve the amendment to article 1 of the Constitution, on recognizing the multi-ethnic and multicultural nature of Costa Rica, a bill that has been before Congress for five years.[76]

3. Institutional and human rights infrastructure and policy measures

27. Human Rights Implementation Centre of the University of Bristol (HRIC-UoB) raised the following issues for consideration of the UPR: lack of proper legislative basis for the designation of the *Defensoría de los Habitantes* as the National Preventive Mechanism (NPM) under the provisions of OP-CAT; failure to provide the NPM with sufficient funding and financial autonomy.[77]

28. HRIC-UoB further indicated that the act establishing the NPM does not fully reflect the stipulation of OP-CAT in respect of the notion of "places of deprivation of liberty". The mandate is limited to only those institutions that are under the authority of the Ministry of Justice and the Ministry of Public Security, Interior and the Police.[78]

29. HRIC-UoB indicated that the Presidential Decree[79] designating the *Defensoría* as a NPM was published in 2007. It noted however that the designation is only a temporary measure, until legislation is passed. Despite the issue being raised during the first UPR review, no such legislation has been passed.[80] In 2008, the *Defensoría* issued a recommendation to the same effect and in 2011, prepared and tabled before the legislature a draft law on the creation of the NPM. In 2012, the draft law was approved by the Human Rights Commission of the legislature and was listed on the parliamentary agenda, but since then, there has been no progress. According to HRIC, the *Defensoría* has repeatedly called for this legal basis to be adopted but to date no progress has been made.[81]

30. HRIC-UoB noted that during the first UPR of Costa Rica, the matter of funding of the NPM was raised (recommendation 89.20[82]) and Costa Rica listed this recommendation among those which have been implemented or are in the process of being implemented. It noted that despite this assertion, in its 2011 and 2012 Annual Reports, the NPM reported lack of resources.[83]

31. JS6 highlights the efforts to prepare a national action plan on racism, racial discrimination, xenophobia and all forms of intolerance, with Afrodescendents as the target group, in fulfilment of the commitment made at the Durban Review Conference and reiterated at the 2009 universal periodic review.[84]

32. JS5 recommends setting out diverse and targeted public policies for Afrodescendents, establishing an organized procedure for their consultation[85] and including Afrodescendent-focused programmes and projects in development plans.[86]

33. JS6 indicates that, pursuant to the Young Persons Act (No. 8261), a national youth system was set up to put youths — as social actors — on the Government agenda.[87] It recommends including ethnic, racial, disability and sexual diversity issues in national youth surveys as well as in the design and implementation of public policies and supporting affirmative action.[88]

34. JS4[89] draws attention to the openness of the inter-agency commission on international human rights obligations, which is responsible for Costa Rica's report under the universal periodic review, to the participation of civil society organizations involved in the implementation and fulfilment of human rights.[90]

B. Implementation of international human rights obligations

1. Equality and non-discrimination

35. JS4 reports that, despite progress, discrimination against women continues.[91]

36. JS4 refers to the recommendations on discrimination, especially racial discrimination,[92] and protection of vulnerable children, particularly migrant and indigenous children.[93] It recommends designing awareness-raising campaigns on cultural diversity; continuing efforts to end discrimination and xenophobia, especially against migrant children; and ensuring that marginal urban areas where migrants live are safe.[94]

37. JS5 recommends running public information campaigns to counter structural racism, racial discrimination, xenophobia and all other forms of intolerance and to promote inclusiveness, social cohesion and respect for the values of diversity and multiculturalism[95] as well as setting up mechanisms to prosecute perpetrators of racist acts.[96]

38. MULABI-SRI indicates that although the Constitution guarantees the right to equality and non-discrimination, members of the LGBTI community suffer severe discrimination.[97] MULABI-SRI recommends designing awareness-raising policies and programmes; giving easier access to justice to people whose rights have been infringed because of their gender identity, gender expression or sexual orientation; and removing discriminatory provisions from the Criminal Code and any other law or regulation.[98]

39. Regarding sexual diversity, CR-NGOs reports that certain populations are still victims of discriminatory treatment. It recommends criminalizing discrimination on grounds of sexual orientation and gender identity, recognizing the legal rights of same-sex couples and allocating funds for public policies to combat discrimination on grounds of sexual orientation and gender identity.[99]

40. MULABI-SRI reports that intersex individuals, transsexuals, transvestites and transgendered persons are the segment of the sexually diverse population whose rights are most often violated.[100] It recommends amending the Civil Code to allow name and gender changes on identity documents, raising awareness and designing policies to benefit intersex individuals.[101]

41. CR-NGOs reports that people living with HIV continue to be subjected to stigmatization and discrimination. Although it is prohibited under the law, their dismissal from work continues to occur. The right to confidentiality continues to be violated, exposing HIV-positive people to discrimination and rejection.[102]

2. Right to life, liberty and security of the person

42. CR-NGOs reports that persons deprived of their liberty continue to suffer human rights violations, such as prison overcrowding, non-separation of adults and children and health-care deficiencies.[103]

43. It further reports that, despite the criminalization of violence against women, threats to women's safety persist. It recommends spearheading public policies, procedures and guidelines with a focus on the comprehensive protection from violence of women under 18 and defining investigation procedures to cope with structural and systematic violence against women.[104]

44. JS4 acknowledges that efforts have been made to combat ill-treatment of and violence against children as part of the follow-up to the recommendations of the first universal periodic review.[105] It indicates, however, that violence in the home, at school and at the hands of teachers, doctors and the police continues to take place. The National Child

Welfare Agency has proven to be rather ineffective because of a surfeit of cases and bureaucracy.[106]

45. CR-NGOs points to a lack of momentum on protection of children and adolescents, primarily due to scarce resources and weak general policies to tackle commercial sexual exploitation, child labour and child domestic labour. It recommends cataloguing the various forms of child labour with a view to adopting appropriate public policies and implementing the National Child Protection System in an effective and coordinated manner.[107]

46. JS4 welcomes the Government's efforts to implement the recommendations on ways to eradicate trafficking in persons, sexual exploitation and child labour.[108] It notes that, despite an extensive legal framework, many problems in applying the law and holding perpetrators to account persist. The authorities' efforts to dismantle organized crime groups remain insufficient.[109]

47. CR-NGOs reports that Costa Rica has made great strides, but that it needs to do more to assist trafficking victims, record cases of trafficking and promote awareness about discrimination. Trafficking in persons is an offence under the Criminal Code and there is a National Coalition against Trafficking in Persons, but implementation of the law remains a challenge. CR-NGOs recommends strengthening inter-agency and intersectoral coordination, setting up specialized shelters for male trafficking victims, improving statistical information on assistance to victims, providing training for justice officials and designing awareness-raising strategies, especially for vulnerable populations.[110]

48. CR-NGOs indicates that, although children are exposed to various forms of abuse online, such as morphing, grooming, sexual solicitation, harassment and cyberbullying, the Government has not criminalized any of these behaviours, thereby limiting its ability to provide protection. CR-NGOs recommends adopting the Special Act on protecting the rights of adolescents in the context of violence and offences involving information and communications technologies and amending the Criminal Code.[111]

3. Administration of justice

49. CR-NGOs identifies inadequate management, the indiscriminate use of pretrial detention, the entry into force of new repressive laws and the aggressive prosecution of flagrant but relatively minor violations of the law as key factors in prison overcrowding.[112] It recommends implementing comprehensive security policies in which prison is seen as a last resort and improving prison infrastructure to ensure that the rights of persons deprived of their liberty are upheld.[113]

50. CR-NGOs states that the juvenile justice system should be based on modern human rights standards of due process. The Government should encourage the use of alternatives to deprivation of liberty and shore up social and educational programmes.[114]

4. Right to work and to just and favourable conditions of work

51. Regarding the right to work, JS4 indicates that there are flaws and omissions in the application of the law and that not everyone has equal access to the labour market. It identifies low-income youths and immigrants from neighbouring countries as the vulnerable groups in terms of work conditions.[115]

5. Right to health

52. Regarding the recommendations on the right to health that have been accepted,[116] JS4 indicates that not everyone has the same access to, or quality of, health care and that this right is not fully exercised because services are overstretched.[117]

53. The Centre for Reproductive Rights mentions recommendations 89.63,[118] 89.65,[119] 89.66[120] and 91.12,[121] which were accepted or said to be under implementation during the first universal periodic review. It indicates that Costa Rica prohibits the use of in vitro fertilization[122] and has not guaranteed access for women to legal abortions.[123] Referring to the Government's failure to observe the rulings of the Inter-American Court of Human Rights in the cases of *Artavia Murillo et al.*,[124] *Aurora* and *AN*,[125] the Centre calls on the Council to urge Costa Rica to adopt all necessary measures to comply with the Court's decisions.[126] It recommends that Costa Rica take legal measures to permit infertile couples to seek in vitro fertilization, without discrimination, and that it adopt a treatment protocol regulating access to legal abortions.[127] CR-NGOs makes similar comments and recommendations.[128]

54. CR-NGOs mentions the lack of access to emergency contraceptives, especially for teenage girls and women victims of sexual violence.[129]

55. MULABI-SRI reports that stereotypes about sexual orientation and gender persist, to the detriment of the health of lesbians, particularly their sexual and reproductive health.[130]

56. MULABI-SRI indicates that the HIV/AIDS epidemic in Costa Rica is concentrated among the gay, bisexual and transsexual population.[131]

57. Regarding HIV prevention, CR-NGOs states that rapid diagnosis through medical tests and universal access to condoms are problematic. It also reports that obtaining medical care is difficult for HIV-positive individuals from vulnerable groups, such as persons deprived of their liberty, the poor, sex workers, the LBGTI community, neglected senior citizens, addicts and migrants in an irregular situation.[132]

58. MULABI-SRI recommends developing programmes to provide comprehensive health care to the LGBTI community.[133]

59. It further recommends building up capacity in the health-care system and including in medical curricula new trends in the treatment of intersex individuals.[134]

6. Right to education

60. JS4 comments on the recommendations that have been accepted and efforts being made to continue ensuring effective implementation of the right to education.[135] Obstacles to the full enjoyment of this right include: unequal access due to indirect costs, non-standardized quality of instruction, growing grade repetition and dropout rates and cyberbullying in educational institutions.[136]

61. MULABI-SRI recommends designing policies to eliminate harassment in schools and ensure the right of LGBTI individuals to education in a discrimination-free environment as well as revising the decision of the Constitutional Court granting all children the right to comprehensive sex education.[137]

62. CR-NGOs recommends adopting public policies on ensuring quality education for children and adolescents.[138]

7. Persons with disabilities

63. The Coalición de Organizaciones de Personas con Discapacidad (COPcD) indicates that the legislation has not been harmonized, as required by the Convention on the Rights of Persons with Disabilities. Denying persons with disabilities the right to exercise their legal capacity remains a common practice.[139]

64. Costa Rica has not complied with article 33 of the Convention: there is no institution responsible for driving and coordinating the implementation of the treaty among agencies.[140]

65. In addition, the Government has yet to appoint an institutional mechanism to "promote, protect and monitor" the implementation of the Convention, a role that should be taken on by an independent public entity, such as the Ombudsman's Office.[141] According to COPcD, when the Ombudsman's Office asked the Ministry of Foreign Affairs who was going to be carrying out such independent monitoring, the Ministry mentioned the inter-agency commission on international human rights obligations, established pursuant to Executive Decree No. 36776-RE in 2011. The Ministry also stated that "The National Council for Rehabilitation and Special Education, as the governing body in the area of disabilities, has expressed its opinion that, with the establishment of the inter-agency commission and the National Council's involvement therein, the obligation under article 33 of the Convention is fulfilled, given that the commission oversees the Convention." COPcD indicates that this misinterpretation of the treaty should be corrected by assigning the responsibility to the Ombudsman's Office.[142]

66. COPcD reports that persons with disabilities are discriminated against on the grounds of disability, income and gender. The Government has not paid enough attention to the rights of indigenous persons with disabilities.[143]

67. COPcD further reports that progress in terms of freedom of movement, access to information and communication is slow.[144]

68. COPcD states that since the ratification of the Convention, there has been no notable progress in the area of inclusive and good quality education for persons with disabilities. The Ministry of Education has not initiated a national inclusive education policy. Changes to organizational structures, plans and programmes have been minor. Education is usually segregated and does not meet quality standards. A large percentage of adults with disabilities have not had access to education.[145]

69. Lastly, COPcD states that the Government has not proposed an effective policy for including persons with disabilities in the labour market and that there is limited technical training. Figures on labour market inclusion are virtually symbolic.[146]

8. Minorities and indigenous peoples

70. JS4 recognizes the efforts made to improve conditions in indigenous communities, in fulfilment of the accepted recommendations.[147] However, it points out that results are insufficient and that indigenous persons are marginalized. Their languages are usually not taken into account, including in schools. Furthermore, the issue of indigenous landownership has not been resolved.[148]

71. JS4 recommends guaranteeing the rights of indigenous peoples, especially their right to decent housing.[149]

72. JS5 indicates that, in the southern Caribbean region, the right of Afrodescendents to land associated with their cultural identity is being infringed. In 2011, the Government promulgated the Act recognizing the rights of the inhabitants of the southern Caribbean, but it, does not solve the landownership issue.[150]

73. JS5 reports that Costa Rica does not have an organized legal process for the prior consultation of populations, ethnic groups and Afrodescendents, as defined in International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.[151] JS5 expresses the concern that government officials travel to Afrodescendent communities to run workshops on culture and land tenure, later claiming

that they have conducted prior consultations, in breach of international human rights instruments.[152]

74. CR-NGOs recommends adopting legislation to recognize and regulate the right of indigenous populations to prior consultation and adopting the bill on the autonomous development of indigenous peoples; setting up effective mechanisms for the reorganization and recovery of indigenous lands; and protecting the life and personal integrity of indigenous rights defenders.[153]

9. Migrants, refugees and asylum seekers

75. CR-NGOs underlines the special significance of migration in the context of Costa Rica and recommends harmonizing requirements, especially regarding documentation and costs, raising the awareness of officials involved in migration proceedings and ensuring that migrants have access to justice, education, health care and safety, with no discrimination whatsoever.[154]

76. JS4 recommends adopting programmes to eradicate poverty, with a particular focus on the children of migrants and refugees.[155]

10. Right to development and environmental issues

77. JS4 notes the irresponsible use of marine resources in Puntarenas Province, despite the applicable laws in that regard. It recommends that the Government conduct information campaigns on the importance of environmental protection and, in particular, of the protection of marine species.[156]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions

CRR (CDR)	Center for Reproductive Rights (Centro de Derechos Reproductivos), New York, United States of America;
HRIC	Human Rights Implementation Centre, University of Bristol, United Kingdom of Great Britain and Northern Ireland;

Joint submissions

JS1	**Joint submission No. 1** by MULABI & SRI, Buenos Aires, Argentina;
JS2 (CR-NGOs)	**Joint submission No. 2** by a coalition of NGOs for UPR-Costa Rica: Asociación Binacional Asociación Casa Hogar San José, Asociación Centro Nacional de Juventudes (CNJ)Asociación de Consultores y Asesores Internacionales (ACAI)Asociación de Trabajadoras Domésticas (ASTRADOMES)Asociación Demográfica Costarricense (ADC)Asociación MANU - Movimiento de Apoyo hacia una Nueva Universalidad, Asociación migrantes nicaragüenses en Costa Rica (AMN-CR)Asociación Nacional de Empleados Públicos y Privados (ANEP)Asociación pro derechos humanos y justicia social (ADHJUS)Asociación Proyecto La SalaA sociación Servicio Solidario y Misionero Unidos en la Esperanza Centro de Investigación y Promoción para América Central de Derechos Humanos (CIPAC)Centro Feminista de Información y Acción (CEFEMINA)Centro por la Justicia y el Derecho Internacional (CEJIL)Centro Internacional para los Derechos Humanos de los Migrantes (CIDEHUM)Centro Sindical de Atención al Trabajador/a Migrante (CSM-CTRN)Coalición de Organizaciones y Grupos de la Diversidad Sexual de Costa Rica (CONODIS)Coordinadora de

Sindicatos Bananeros de Costa Rica (COSIBACR)Defensa de Niñas y Niños Internacional (DNI Costa Rica)Enlaces Nicaragüenses de Costa Rica (ENCR)Fundación PaniamorFutbol Por la VidaHermanas Misioneras ScalabrinianasHumanitas de Costa RicaIglesia Luterana Costarricense (ILCO)Liga Internacional de Mujeres Pro Paz y Libertad (LIMPAL)MulabiRed de Jóvenes sin FronterasRed de ONG que trabajan en VIH - Costa RicaRed Nacional de Defensa y Promoción de los Derechos Sexuales y Reproductivos (Red DESER)Refugee Education Trust - The RET – Costa Rica, San Jose, Costa Rica;

JS3-COPcD **Joint submission No. 3** by la Coalición de Organizaciones de Personas con Discapacidad (COPcD): Foro por los Derechos de las Personas con Discapacidad; Instituto Interamericano sobre Discapacidad y Desarrollo Inclusivo (IIDI); Asociación Pro Centro Nacional de Rehabilitación (APROCENARE); Federacion Pro Personas con Discapacidad (FEREPRODIS); Asociación Movimiento de Vida Independiente (MVI); Asociación de Personas con Discapacidad de Curridabat; Asociación de Personas con Discapacidad de Puriscal; Asociación para la Inclusión Laboral de Perez Zeledón; Asociación para el Desarrollo de las Personas con Discapacidad de Pavas; Asociacion Amigos del Grupo de Percusión Inclusión; Asociación Costarricense de Personas Autistas; Asociación de Personas con Discapacidad de Los Santos; Fundación Charcot de Costa Rica; Fundación Andrea Jimenez; Fundación el Futuro es para todos; Movimiento Participación Ciudadana de Alajuela; Asociación de Personas con Discapacidad de Montes de Oca; Asociación de Personas con Discapacidad de Santa Marta, Buenos Aires, Puntarenas; Asociación de Personas con Discapacidad de Buenos Aires, Puntarenas; Concejo Indígena de Lagarto y Puerto Nuevo; Concejo Indígena de Curré; Concejo Indigena de Salitre; Concejo Indígena de Cabagra; Concejo Indígena de Ujarrás; Asociación Indigena Dubon Térraba; Asociación Indigena de Personas con Discapacidad de Boruca Fundación El Portavoz; Cooperativa de Personas con Discapacidad Visual (COOPEAPAD); Asociacion para la Prevención de la Salud Mental (APROSAM); De Asociacion Cantonal de Palmares Pro-ayuda a la Persona con Discapacidad (APRADIS); Asociacion Talita Cumi, Costa Rica;

JS4 **Joint submission No. 4** by Istituto Internazionale Maria Ausiliatrice (IIMA); International Volunteerism Organization for Women, Education, Development (VIDES International) and the Congregation of Our Lady of Charity of the Good Shepherd, Switzerland;

JS5 **Joint submission No.5** by Coalición de organizaciones Afrodescendientes para el EPU Costa Rica: Mesa Nacional Afrocostarricense (MNA); Universal Negro Improvement Association (UNIA); Asociación Proyecto Caribe (APC), Costa Rica;

JS6 **Joint submission No.6** by Coalición de Organizaciones y Redes Juveniles /Coalition of Youth NGOs for UPR-Costa Rica: Asociación Proyecto Caribe, Asociación de Desarrollo y Emprendimiento Tecnológico Inclusivo para Jóvenes con Discapacidad, Centro Nacional de Juventudes y PSG, San José, Costa Rica.

National human rights institution

DHR Defensoría de los Habitantes,* San José, Costa Rica.

Regional intergovernmental organizations

IACHR Inter-American Commission on Human Rights - Organization of American States, United States of America.

[2] A /HRC/13/15, para. 91.1. 1. *Design and implement its action plan for strengthening legal and institutional frameworks to combat racism and racial discrimination, ensuring that all legal provisions are fully applied, that racism and racial discrimination are actively monitored and that*

training is carried out for all relevant authorities to provide equal access to legal redress for all victims of crime (United Kingdom).

[3] Defensoria de los Habitantes, para.6.

[4] A /HRC/13/15, para. 89.16. *Pursue its efforts in favour of gays, lesbians and transsexuals (France).*

[5] Defensoria de los Habitantes, para.2.

[6] Defensoria de los Habitantes, para.3. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.

[7] Decreto33876-J –Reglamento Tecnico del Sistema Penitenciario.

[8] Defensoria de los Habitantes, para.4.

[9] Defensoria de los Habitantes, para.4.

[10] Defensoria de los Habitantes, para.5.

[11] A/HRC/13/15, para. 89.*20. Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic).**

[12] Defensoria de los Habitantes, para 10.

[13] A/HRC/13/15, para. 89.*21. Enhance the policy to prevent, combat and eradicate torture, improve the situation in the prison system and establish alternative sanctions (Brazil).*

[14] Defensoria de los Habitantes, para 11.

[15] A/HRC/13/15, para. 89. 31. *Increase efforts to improve prison conditions, including health care (Holy See).*

[16] Defensoria de los Habitantes, para 15.

[17] A/HRC/13/15, para. 89.54. *Expeditiously take appropriate steps towards restricting the use of pretrial detention and its duration and opt for alternative methods whenever possible (Slovakia).*

[18] Defensoria de los Habitantes, para 19.

[19] Defensoria de los Habitantes, para 12.

[20] A/HRC/13/15, para. 89. 23. *Duly implement and review when necessary the law criminalizing violence against women, adopted in April 2007, to ensure due investigations and the punishment of all perpetrators and to prevent further occurrence of these violations as well as to establish a functioning rehabilitation scheme for the victims (Slovakia).**

[21] Defensoria de los Habitantes, para 13. See also IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011 (available at http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf).

[22] A/HRC/13/15, para. 89. 28. *Increase efforts to provide effective assistance to women and girls who are victims of violence, in particular through the provision of safe places and psychological support (Austria).*

[23] Defensoria de los Habitantes, para 14.

[24] A/HRC/13/15, para. 89. 37. *Reinforce concrete measures aimed at combating trafficking in women and young girls, and assistance to victims (Belgium).**

[25] Defensoria de los Habitantes, para 16.

[26] A/HRC/13/15, para. 89. 42. *Continue taking efficient measures to eliminate prohibited child labour and prostitution, and to combat the phenomenon of children living in the street, and monitor appropriately the efficiency of measures taken (Slovenia).*

[27] A/HRC/13/15, para. 89. 43. *Undertake further efforts to eliminate child labour and to protect juvenile workers (Belarus).*

[28] A/HRC/13/15, para. 89. 44. *Strengthen efforts to eliminate child labour (Chile).*

[29] A/HRC/13/15, para. 89. 45. *Adopt and implement appropriate efficient policies and programmes and strengthen its efforts in raising public awareness to eliminate child labour (Slovakia).**

[30] A/HRC/13/15, para. 89. 46. *Strengthen its policies on protection of minors against child labour and sexual exploitation (Germany).*

[31] A/HRC/13/15, para. 89. 47. *Reinforce the fight against exploitation of minors, particularly sexual exploitation, through the effective implementation of national and international legal provisions and through maximal use of the National Plan to Combat Commercial Sexual Exploitation (Switzerland).*

[32] A/HRC/13/15, para. 89. 48. *Increase its capacity to prevent child prostitution, protect victims, continue to raise awareness and prosecute perpetrators (Netherlands).*

[33] A/HRC/13/15, para. 89. 49. *Take practical steps to address the problems of street children and take effective measures to eliminate prohibited child labour (Azerbaijan).* *

[34] Defensoria de los Habitantes, para 17.

[35] Defensoria de los Habitantes, para 18.

[36] A/HRC/13/15, para. 89.55. *Continue efforts to fight against impunity and human rights violations, with special attention to the rights of indigenous populations, those of African descent, women and HIV/AIDS carriers, as well as to combat all forms of discrimination (Brazil).*

[37] Defensoria de los Habitantes, para 20.

[38] A/HRC/13/15, para.91. 9. *Review the legislation on the press offences of libel and defamation with a view to ensuring full protection and realization of the freedom of expression (Czech Republic).*

[39] Defensoria de los Habitantes, para 21.

[40] A/HRC/13/15, para.91.10. *Ensure balanced treatment of all religions and grant the same status to all religious marriages (Congo).*

[41] Defensoria de los Habitantes, para 22.

[42] Ley 8901 sobre el Porcentaje mínimo de mujeres que deben integrar las directivas de asociaciones, sindicatos y asociaciones solidaristas, aprobada por la Asamblea Legislativa el 3 de noviembre de 2010.

[43] A/HRC/13/15, para. 89.12. *Intensify its efforts to counter discrimination against women based on whatever grounds (Slovakia).*

[44] A/HRC/13/15, para. 89.13. *Continue to implement all measures aimed at promoting gender equality, notably by combating all discrimination against women and stereotypes (Algeria).*

[45] A/HRC/13/15, para. 89. 14. *Intensify its efforts to realize gender equality, including by implementing the recommendation made by the Committee on the Elimination of Discrimination against Women in 2003 aimed at changing social stereotypes that encourage discrimination against women and impede their egalitari n performance in society (Norway).*

[46] Defensoria de los Habitantes, para 1. See also submission from the Inter-American Commission on Human Rights - IACHR, The Road to substantive Democracy: Women´s Political Participation in the Americas, OEA/Ser.L/V/II., Doc. 79, 18 April 2011, paras. 55 and 57 (Available at: http://www.oas.org/en/iachr/women/docs/pdf/POLITICAL.part.pdf).

[47] A/HRC/13/15, para.91.11. *Include in its debates, within the framework of the legislative review process, indigenous participation as a democratizing principle for civic participation at all levels, municipal, legislative and executive (Panama).*

[48] Defensoria de los Habitantes, para 23.

[49] A/HRC/13/15, para. 89. 60. *Pursue its efforts to ensure the right to an adequate standard of living for vulnerable groups (Algeria).*

[50] A/HRC/13/15, para. 89. 63. *Continue its efforts to further improve access to education, housing, social security, health and employment, especially for people living in poverty or extreme poverty, and to increase even more the resources and social benefits aimed at reducing poverty and extreme poverty in the country (Bulgaria).*

[51] Defensoria de los Habitantes, para 24.

[52] Defensoria de los Habitantes, para 25.

[53] A/HRC/13/15, para. 89. 66. *Continue advancing in its efforts to achieve universal coverage of its Maternity, Disease and Health Care Programme (Colombia).*

[54] Defensoria de los Habitantes, para 26.

[55] A/HRC/13/15, para. 89. 67. *Take further measures to address the disparity in wages between men and women and continue to allocate sufficient funds to increase the availability of social housing for indigenous people, those of African descent and migrants, in line with the concerns raised by the Committee on Economic, Social and Cultural Rights and the United Nations country team (Ghana).*

[56] A/HRC/13/15, para.89.68. *Take measures to ensure equitable access of indigenous children, migrant children and those living in rural areas to education and health services and improve their standard of living (Ghana).* *

[57] Defensoria de los Habitantes, para 27.

[58] A/HRC/13/15, para. 91.12. *Enhance and enshrine in law services aimed at protecting women and provide women with adequate information on how to access such support and medical care, including permitted abortions (United Kingdom).*

[59] Defensoría de los Habitantes, para 28. See also submission from the Inter-American Commission on Human Rights - I/A Court H.R., Caso Artavia Murillo y otros (Fertilización in vitro) v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 28, 2012. Series C No. 257 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_257_ing.doc).

[60] Defensoría de los Habitantes, para 29.

[61] Defensoría de los Habitantes, para 30.

[62] A/HRC/13/15, para. 89. 69. *Pursue its action to ensure the right to education for all towards the realization of the Millennium Development Goals and to extend this fundamental right to children of illegal migrants (Algeria).**

[63] A/HRC/13/15, para. 89.70. *Increase efforts at providing free and affordable education, including secondary education, to all segments of the population (Austria).**

[64] A/HRC/13/15, para. 89. 71. *Continue to take effective measures to increase enrolment in primary and secondary schools, to reduce the high dropout rate of students, particularly in rural areas, and to address the lack of school infrastructure in those areas (Turkey).**

[65] A/HRC/13/15, para. 89. 72. *Continue to take effective measures to increase enrolment in primary and secondary schools, reduce the high rate of students dropping out or repeating years, in particular in rural areas, and find ways to address the lack of school infrastructure in those areas (Portugal).**

[66] Defensoría de los Habitantes, para 29.

[67] A/HRC/13/15, para. 89. 78. *Identify the Government department that will be responsible for implementing the new migration and aliens act (Law 8764) and determining rules for its implementation (Netherlands).**

[68] A/HRC/13/15, para. 89. 79. *Strengthen policies to guarantee the rights of migrants and refugees, under the principle of non-discrimination and non-refoulement (Brazil).*

[69] Defensoría de los Habitantes, para 30.

[70] A/HRC/13/15, para. 89. 86. *Establish an effective and inclusive process to follow-up to the recommendations emerging from the universal periodic review (Norway).*

[71] Defensoría de los Habitantes, para 31.

[72] The following abbreviations have been used for this document/en este documento se han usado las siglas inglesas siguientes:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination/ Convención Internacional sobre la Eliminación de todas las Formas de Discriminación Racial;
ICESCR	International Covenant on Economic, Social and Cultural Rights/ Pacto Internacional de Derechos Económicos, Sociales y Culturales;
OP-ICESCR	Optional Protocol to ICESCR/ Protocolo Facultativo del Pacto Internacional de Derechos Económicos Sociales y Culturales;
ICCPR	International Covenant on Civil and Political Rights/ Pacto Internacional de Derechos Civiles y Políticos;
ICCPR-OP 1	Optional Protocol to ICCPR/ Protocolo Facultativo del ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty/ Segundo Protocolo Facultativo del ICCPR, destinado a abolir la pena de muerte;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women/ Convención sobre la eliminación de todas las formas de discriminación contra la mujer;
OP-CEDAW	Optional Protocol to CEDAW/ Protocolo Facultativo de la CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment/ Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes;
OP-CAT	Optional Protocol to CAT/ Protocolo Facultativo de la CAT;
CRC	Convention on the Rights of the Child/ Convención sobre los Derechos del Niño;

OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict/ Protocolo facultativo de la CRC relativo a la participación de niños en los conflictos armados;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography/Protocolo facultativo de la CRC relativo a la venta de niños, la prostitución infantil y la utilización de niños en la pornografía;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure/Protocolo opcional de la CRC sobre un procedimiento de comunicaciones;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families/ Convención Internacional sobre la protección de los derechos de todos los trabajadores migratorios y de sus familiares;
CRPD	Convention on the Rights of Persons with Disabilities/ Convención sobre los derechos de las personas con discapacidad;
OP-CRPD	Optional Protocol to CRPD/Protocolo facultativo de la CRPD;
CPED	International Convention for the Protection of All Persons from Enforced Disappearance/Convención Internacional para la protección de todas las personas contra las desapariciones forzadas.

[73] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.3.
[74] Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 48-49.
[75] Mulabi-SRI (Joint Submission 1), para. 2.
[76] Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), para.43. See also recommendation from the Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para 26.
[77] Human Rights Implementation Centre of the University of Bristol, pages 4-5.
[78] Human Rights Implementation Centre of the University of Bristol, paras.14-17.
[79] Executive Decree No. 33568-RE-MSP-G-J of 19 February 2007.
[80] Human Rights Implementation Centre of the University of Bristol, para.3.
[81] Human Rights Implementation Centre of the University of Bristol, paras.6-7.
[82] A/HRC/13/15, para. 89. 20. *Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic).*"
[83] Human Rights Implementation Centre of the University of Bristol, paras.10-13.
[84] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.2.
[85] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras.24 and 25.
[86] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.32.
[87] Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), pages 1-5.
[88] Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), paras. 38-43.
[89] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd.
[90] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.7.
[91] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.41-45.
[92] A/HRC/13/15, para. 89.5. *Consider including in its criminal legislation the delinquent conducts provided for in relevant paragraphs of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, in line with the recommendations of the Committee on the Elimination of Racial Discrimination (Peru);* A/HRC/13/15, para. 89.6. *Amend its criminal legislation so as to bring it into line with ICERD in order to overcome the fact that racial discrimination is viewed as a minor infraction punishable by a fine, as stated by the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights (Portugal).* A/HRC/13/15, para.89.17. *Promote educative programmes to reduce discrimination and prejudices towards persons with disabilities, and ensure that all members of society, including those*

with disabilities, are able to enjoy equal participation in the presidential vote in 2010 (United Kingdom). * A/HRC/13/15, para.91.1. 1. *Design and implement its action plan for strengthening legal and institutional frameworks to combat racism and racial discrimination, ensuring that all legal provisions are fully applied, that racism and racial discrimination are actively monitored and that training is carried out for all relevant authorities to provide equal access to legal redress for all victims of crime (United Kingdom).*

93 A/HRC/13/15, para.89.10. *Follow through and expand on already established programmes to protect children (United States);* A/HRC/13/15, para.89.60. *Pursue its efforts to ensure the right to an adequate standard of living for vulnerable groups (Algeria);* A/HRC/13/15, para.89.64. *Place greater emphasis on providing services for vulnerable, poor and homeless children and strengthen legislation against child pornography (United Kingdom);* A/HRC/13/15, para.89. 83. *Consider implementing, as appropriate, the recommendations of UNHCR, human rights treaty bodies and special procedures with respect to asylum-seekers, immigrants and irregular immigrants, especially children (Jordan).*

94 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.11.

95 Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.29.

96 Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.28.

97 Mulabi-SRI (Joint Submission 1), para. 4.

98 Mulabi-SRI (Joint Submission 1), paras. 7-9.

99 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.1-7.

100 Mulabi-SRI (Joint Submission 1), paras. 21-31.

101 Mulabi-SRI (Joint Submission 1), paras. 32-38. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.

102 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.8-13.

103 Coalición de ONGs (CR-NGOs – Joint Submission 2), para.1.

104 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.14-17. See also IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011 (available at http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf).

105 A/HRC/13/15, para.89. 19. *Ensure effective implementation of the provisions punishing acts of torture (France);* A/HRC/13/15, para.89.20. *Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic);* * A/HRC/13/15, para.89.21. *Enhance the policy to prevent, combat and eradicate torture, improve the situation in the prison system and establish alternative sanctions (Brazil);* A/HRC/13/15, para.89.22. *Step up implementation of legal and institutional measures aimed at addressing the reported increase of domestic violence against women and children (Malaysia);* *A/HRC/13/15, para.89. 24. *Continue its efforts to eliminate violence against women and children (Jordan);* A/HRC/13/15, para.89. 27. *Take further measures to ensure the full protection of children from all forms of violence (Sweden);* * A/HRC/13/15, para.89. 28. *Increase efforts to provide effective assistance to women and girls who are victims of violence, in particular through the provision of safe places and psychological support (Austria).*

106 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.32-34.

107 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.23-36.

108 A/HRC/13/15, para.89.32. *Strengthen its efforts to train law enforcement officials to effectively work against trafficking of persons (Sweden);* A/HRC/13/15, para.89.33. *Continue implementing as effectively as possible measures aimed at combating trafficking and smuggling of migrants, including children, with a view to sexual exploitation, particularly concerning assistance to the victims (Argentina);* A/HRC/13/15, para.89.34. *Continue efforts to provide improved assistance to victims of trafficking (Sweden);* A/HRC/13/15, para.89.35. *Implement and enforce the changes to the Criminal Code which criminalize all forms of trafficking and raise prison sentences for anyone committing the offense of trafficking in persons (United States);* * A/HRC/13/15, para.89.36. *Reinforce measures to combat trafficking of women and children and ensure that the penalties foreseen for these crimes are*

commensurate with the gravity of the crime (Italy); A/HRC/13/15, para.89.37. *Reinforce concrete measures aimed at combating trafficking in women and young girls, and assistance to victims (Belgium);* A/HRC/13/15, para.89.38. *Ensure that persons suspected of trafficking in human beings are duly prosecuted and judged, and facilitate access to justice and compensation for victims (Belgium);* A/HRC/13/15, para.89.39. *Step up efforts to combat trafficking in persons (Belarus);* A/HRC/13/15, para.89.40. *Strengthen criminal legislation with regard to trafficking of children and women (Germany);* A/HRC/13/15, para.89.41. *Further reinforce measures to combat trafficking of women and children, as well as penalties commensurate with the seriousness of such acts (Egypt);* A/HRC/13/15, para.89.42. *Continue taking efficient measures to eliminate prohibited child labour and prostitution, and to combat the phenomenon of children living in the street, and monitor appropriately the efficiency of measures taken (Slovenia);* A/HRC/13/15, para.89.43. *Undertake further efforts to eliminate child labour and to protect juvenile workers (Belarus);* A/HRC/13/15, para.89.44. *Strengthen efforts to eliminate child labour (Chile);* A/HRC/13/15, para.89.45. *Adopt and implement appropriate efficient policies and programmesand strengthen its efforts in raising public awareness to eliminate child labour (Slovakia);* A/HRC/13/15, para.89. 47. *Reinforce the fight against exploitation of minors, particularly sexual exploitation, through the effective implementation of national and international legal provisions and through maximal use of the National Plan to Combat Commercial Sexual Exploitation (Switzerland);* A/HRC/13/15, para.89. 49. *Take practical steps to address the problems of street children and take effective measures to eliminate prohibited child labour (Azerbaijan).*

109 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.27-31.

110 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.37-40.

111 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.36-37.

112 Coalición de ONGs (CR-NGOs – Joint Submission 2), para.50.

113 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.50-53.

114 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.50-53.

115 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras. 35-40.

116 A/HRC/13/15, para.89.65. *Further focus its national spending on improving health and education services and increasing the availability of social housing (Azerbaijan).*

117 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.20-26.

118 A/HRC/13/15, para.89.63. *Continue its efforts to further improve access to education, housing, social security, health and employment, especially for people living in poverty or extreme poverty, and to increase even more the resources and social benefits aimed at reducing poverty and extreme poverty in the country (Bulgaria).*

119 A/HRC/13/15, para.89.65. *Further focus its national spending on improving health and education services and increasing the availability of social housing (Azerbaijan).*

120 A/HRC/13/15, para.89.66. *Continue advancing in its efforts to achieve universal coverage of its Maternity, Disease and Health Care Programme (Colombia).*

121 A/HRC/13/15, para.91.12. *Enhance and enshrine in law services aimed at protecting women and provide women with adequate information on how to access such support and medical care, including permitted abortions (United Kingdom).*

122 Centro de Derechos Reproductivos, paras. 15-25.

123 Centro de Derechos Reproductivos, paras. 26-34.

124 Centro de Derechos Reproductivos, para.13. See also submission from the Coalición de ONGs (CR-NGOs – Joint Submission 2), para.18 and the Inter-American Commission on Human Rights - I/A Court H.R., Caso Artavia Murillo y otros (Fertilización in vitro) v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 28, 2012. Series C No. 257 (avaliable at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_257_ing.doc).

125 Centro de Derechos Reproductivos, para.14. See also submission from the Coalición de ONGs (CR-NGOs – Joint Submission 2), para.20.

126 Centro de Derechos Reproductivos, para. 25

127 Centro de Derechos Reproductivos, para. 35.

128 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.18-22.

[129] Coalición de ONGs (CR-NGOs – Joint Submission 2), para.19. See also submission from the Inter-American Commissioner on Human Rights - IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011, para.242. (available at http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf).

[130] Mulabi-SRI (Joint Submission 1), para.11.

[131] Mulabi-SRI (Joint Submission 1), para.12.

[132] Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 8-13.

[133] Mulabi-SRI (Joint Submission 1), para.14.

[134] Mulabi-SRI (Joint Submission 1), paras. 32-38. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.

[135] A/HRC/13/15, para.89.69. *Pursue its action to ensure the right to education for all towards the realization of the Millennium Development Goals and to extend this fundamental right to children of illegal migrants (Algeria);* A/HRC/13/15, para.89.70. *Increase efforts at providing free and affordable education, including secondary education, to all segments of the population (Austria);* A/HRC/13/15, para.89. 71. *Continue to take effective measures to increase enrolment in primary and secondary schools, to reduce the high dropout rate of students, particularly in rural areas, and to address the lack of school infrastructure in those areas (Turkey);* A/HRC/13/15, para.89.72. *Continue to take effective measures to increase enrolment in primary and secondary schools, reduce the high rate of students dropping out or repeating years, in particular in rural areas, and find ways to address the lack of school infrastructure in those areas (Portugal);* A/HRC/13/15, para.89. 73. *Continue to work at the international level in favour of human rights education (Morocco).*

[136] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras. 12-19.

[137] Mulabi-SRI (Joint Submission 1), paras. 19-20.

[138] Coalición de ONGs (CR-NGOs – Joint Submission 2), para.36.

[139] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 3.

[140] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 2 and 6.

[141] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 6.

[142] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 7.

[143] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 1-2.

[144] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 3-4.

[145] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 5.

[146] Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 5-6.

[147] A/HRC/13/15, para.89.11. *Finalize the fifth and sixth due reports to the Committee on the Elimination of Discrimination against Women, without further delay (Norway);* A/HRC/13/15, para.89.68. *Take measures to ensure equitable access of indigenous children, migrant children and those living in rural areas to education and health services and improve their standard of living (Ghana);* A/HRC/13/15, para.89.74. *Increase its efforts in favour of indigenous populations to ensure the satisfaction of their basic needs (water, health, education) and to combat social exclusion affecting them (France).*

[148] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.46-48.

[149] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.11.

[150] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras.13-14.

[151] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.15.

[152] Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras. 15-17.

[153] Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 54-66.

[154] Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 41-48

[155] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.11.

[156] Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.49-52.